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THE NATION

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Real Law & Order **THE CLEANUP OF NEW JERSEY**

Fred J. Cook

Putting Down the Gun **PANTHERS OUTGROW THEIR RHETORIC**

Ross K. Baker

Robert K. Morris

THOMAS PYNCHON'S 'GRAVITY'S RAINBOW'

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LETTERS

Ervin and Cox

New York City

DEAR SIR: I fully agree with what you say in your editorial, "The Traps in Watergate" [June 18], but somehow I feel that you don't say it convincingly enough to matter to the man on the street or at the ball park or the races. This same fault is multiplied many times by most of our leading newspapers, magazines and TV and radio commentators.

I am for a blunt comparison of the Ervin and Cox goals—something like: Ervin's committee recognizes that the body politic is infected with cancer to a degree that could lay this nation prostrate . . . and is seeking to find out how it happened and how far the cancerous cells have spread, so that they can be isolated and cut out in the hope that the continued life of our democracy can be assured.

Cox's goal via the grand jury road is intended to ferret out and punish a few scapegoats, without a thought of protecting the future of government of the people, by the people, for the people.

Benjamin Redmond

voice of the porcupine

Ottawa, Can.

DEAR SIR: In "The Tidal Dam at St. Malo" (*The Nation*, June 11) Karl Keyerleber writes of ". . . a strong belief that my own country has made a mistake by not acting on a similar plan which would have tamed the towering tides in the Bay of Fundy. . . ."

Is Mr. Keyerleber a Canadian? Surely the Bay of Fundy (near where I lived as a child) is in Canadian territory. You Yanks don't own all of Canada, you know!

Paul A. Gardner

P.S. Is your frequent book reviewer, George Woodcock, our Canadian historian of that name? If so, please identify him.

The Bay of Fundy separates the western part of Nova Scotia from New Brunswick, but Passamaquoddy Bay, an appendix of Fundy, lies within both New Brunswick and Maine. The initiative for the tidal complex in Passamaquoddy came from south of the border, but any development of this potential resource would have to be agreed upon by both countries and the power equitably shared.

George Woodcock is indeed a Canadian; he was not so identified since his nationality was not germane to the books he was reviewing.

The "Yankees" on The Nation are aware of, and sympathize with, the irritation of Canadians when confronted with assumptions of divine right from the States; for themselves, they plead innocent to the charge of national arrogance.—Editors

peace and prosperity?

Arlington, Va.

DEAR SIR: Over the past ten years, I have read a number of unchallenged statements by eminent economists attributing the economic vitality of postwar Germany and Japan to the same factors cited by V. Lewis Bassie ("Gold, Greed and Confusion," *The Nation*, June 4): "They were sheltered by the American military shield, and their resources were freed for economic development and the promotion of exports." In other words, Germany and Japan have prospered mainly because they had no significant defense expenditures and could devote all their resources to efficient production of civilian goods.

I would remind Mr. Bassie and his colleagues that we in the United States were also blessed with small defense expenditures and a wealth of unused resources throughout

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EDITORIALS

The 'Enemies Project'

The list—largely the work of those mortal enemies Charles Colson and John Dean—has its comic aspects. It includes Max Lerner but not Hunter Thompson; Richard Rovere but not I. F. Stone; Saul Friedmann, Knight newspaper columnist, but not John Knight, whose stand against the war should have had far stronger political meaning for the Nixon camp than any combination of Friedman columns. *The Nation's* distinguished Washington correspondent, Robert Sherrill, managed to make the list without, we hope, any wirepulling, but his senior editors, who had won the right to be regarded as "enemies" by Colson-Dean-Haldeman standards while Sherrill was still flirting with coeds on the University of Texas campus, were excluded. The exclusion is unfair; worse, it is embarrassing.

But despite the fact that the list is silly to the point of lunacy, press and public should not laugh too long or too uproariously. The story told by former Internal Revenue Commissioner Randolph W. Thrower is to be taken quite seriously. If he had not stood his ground against White House pressure, a special unit headed by John J. Caulfield and G. Gordon Liddy would have been set up in IRS to hassle Administration "enemies" on their income tax returns. Some of the fingered individuals were, in fact, given this treatment. Certain newsmen on the list—for example, John Pierson of *The Wall Street Journal* (see his statement in the July 2nd *Journal*) were subjected to incredibly petty and vexatious harassment over a period of time. It is hardly "funny" when every black who was at the time a member of Congress, is listed as an "enemy" of the Administration, to be "screwed" whenever an opportunity occurred. By clear inference, the entire black minority must have been regarded as "enemies."

One of the tasks in interpreting the vileness of the Nixon Administration is to note analogies that might help the public draw its own conclusion by reminding them of familiar parallels, without, at the same time, overstressing those analogies which are seldom perfect parallels. Here, for example, is an analogy offered to provoke thought: Hitler was the butt of 10,000 jokes, countless cartoons and the wickedly funny satire of Charles Chaplin. And the Nazis were clowns whose sillinesses and stupidities evoked gales of laughter. But in a very real sense, Hitler and the Nazis had the last laugh.

How Many Taps?

On June 5, Senate Republican leader Hugh Scott, acting as spokesman for the Administration, released statistics allegedly enumerating the total number of FBI "national security" wiretaps instituted annually between 1945 and 1972. As reported by Scott, only 434 "national security" wiretaps were instituted from 1969 to 1972 in contrast to 1,673 between 1945 and 1948, and 844 from 1961 to 1964. Reporters were quick to point out that the figures for the Nixon years were incomplete. Under the authority provided by the 1968 Crime Control Act, court-approved electronic surveillance was authorized for the first time on matters not directly concerning

with national security; the Nixon Administration no longer needed to incorporate such taps under "national security." Thus the 1972 figure should be increased to 314; combining the court-approved wiretaps (206) and the 108 "national security" wiretaps listed in the Scott/Nixon statement.

Yet even adding court-approved wiretaps to Scott's June 5th figures does not provide a full picture of the Administration's electronic surveillance. Since assuming office in 1969, Mr. Nixon has consistently operated on an expansive definition of threats to the national security, which includes simple radical politics and dissent. Central to this is an often confusing fact: the Administration makes a crucial distinction between "national" and "domestic" (or internal) security, while at the same time it blurs that distinction. Thus in 1969 former Atty. Gen. John Mitchell specifically claimed the authority under the 1968 Act to wiretap, without court order, not only foreign embassies but those domestic groups he believed threatened the domestic security. Furthermore, the White House surveillance plan of July 1970 and President Nixon's May 22, 1973 statement justifying this plan and the Ellsberg surveillance incorporated domestic dissent within the purview of national security, yet at the same time specifically distinguished between "national" and "domestic" security issues.

A number of questions remain unanswered. First, do the Scott/Nixon "national security" figures include FBI wiretapping of domestic radical groups? Has the Administration, in short, listed all FBI wiretapping for earlier administrations, but for itself only those taps involving (by its definition and distinctions) "national" security but not "domestic" security? Second, in contrast to its predecessors, has not the Nixon Administration relied on agencies other than the FBI for electronic surveillance? The Watergate affair so indicates. How extensively then has the Administration relied on the CIA, the Defense Department, the White House personnel (whether staffers or hired hands) to conduct electronic surveillance? Third, has this Administration's non-electronic surveillance been more extensive than that of its predecessors? Specifically, how many mail covers (legal and illegal) and how many break-ins (planned and attempted) were instituted? How many personnel (FBI, CIA, Defense Department, White House operatives) were engaged in such surveillance activities? Further, which members of Congress were subject to electronic and non-electronic surveillance and which members of the national press (both print and television)?

What is requested is simply more complete statistics than those released on June 5. The release of this further information will not imperil the national security more than did the Scott/Nixon statement, which admitted FBI wiretaps of foreign embassies and foreign agents.

The relevant Congressional committees should insist on receiving testimony from responsible personnel in the FBI, CIA, Defense Department and the White House. This testimony should be under oath and in public session, and the formal request should include the prior subpoenaing of all relevant documents pertaining to federal surveillance.

In 1973, Congress has an obvious responsibility to go

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beyond Watergate and review intensively the Administration's general surveillance policies. Already disclosed actions involving Nixon personnel confirm not only that serious encroachments on civil liberties occurred during Nixon's first term, but that the President and key White House aides were willing to sanction "clearly illegal" acts. Further, the Watergate disclosures of sabotage and espionage directed at moderate and conservative politicians (whether Lawrence O'Brien, George Wallace or Edmund Muskie) reveal how far Nixon personnel were willing to go simply to retain power. A concern about the Administration's respect for constitutional or legal rights, then, is surely not paranoid; it is mere common prudence.

ATHAN G. THEOHARIS

Putting the Crimp in Daley

The remarkable record achieved by Herbert Stern as U.S. Attorney in Newark (see article by Fred J. Cook, p. 38) is equaled by the remarkable record of James R. Thompson, U.S. Attorney for the Northern District of Illinois. Thompson, a 37-year-old, 6 foot 6 inch, 235 pound former professor at Northwestern Law School, has been giving the Daley machine the close attention it has long deserved but never until now received. He has succeeded in securing indictments against more than 200 officials and has convicted 94 per cent of those who have come to trial. Among those convicted: former Democratic Gov. Otto Kerner and County Clerk Edward J. Barrett, long a wheelhorse in the Daley machine. Under indictment: Alderman Thomas E. Keane, the millionaire boss of the City Council and one of Daley's closest associates.

The Thompson phenomenon parallels the Stern phenomenon. The two men are about the same age; neither rose to office through the political ranks; both are, ironically, Nixon appointees; both were sponsored by liberal Republican Senators (Sen. Clifford Case for Stern; Sen. Charles Percy for Thompson). Neither Thompson nor Stern is content to restrict his attention to routine criminal offenses. Both have sought to concentrate law-enforcement energies in socially important fields, notably political corruption. They use much the same methods. Mr. Thompson has set up special panels among his young assistants who work with the Internal Revenue Service in a special investigative project called CRIMP, an acronym for Crime, Racketeering, Influence, Money and Politicians. Both build their cases carefully, with emphasis on investigative work rather than courtroom histrionics. Both have had the good sense to realize that, for men in their positions, the best politics is no politics at all.

As a consequence, Stern and Thompson have made admirable records as independent, courageous, highly competent and honest public servants—whom New Jersey and Illinois voters might well want to reward if either were to seek elective office. Other politicians, of both parties, would do well to study the records of these men. True, their "no politics" stance has a special relevance to law enforcement, but in a period in which the public has good reason to be disillusioned about all politicians, the rule these men observe could prove to be

good politics for office seekers as well as appointive law-enforcement officials. If in 1969 Richard Nixon had appointed as Attorney General someone who displayed the qualities of these two young prosecutors, he might have escaped the agony in which he finds himself today.

Courtesy Jerry W. Friedheim

Jerry W. Friedheim, Assistant Secretary of Defense for Public Affairs, has called our attention to an error in an editorial ("The Fly-by," May 28) in which we commented on the expensive ceremonies observed when a two-star general of the Air Force retired. The editorial was based on information contained in a speech by Sen. William Proxmire who in turn got it from a 51-page booklet of orders which specified the ceremonies to be observed on such occasions. But it seems that on this particular occasion—the retirement of Gen. W. S. Harrell—not all of the prescribed ceremonies were in fact observed. The correction is gladly noted.

We are also indebted to Mr. Friedheim for some other information which we had requested, namely, the cost of the splendid White House party given for the POWs and their guests. The requested information is: estimated cost to the DOD, \$476,000, which includes \$293,000 for transportation to bring the POWs and guests to Washington, and send them home again, travel expenses for entertainers of \$38,000, and the cost of the dinner, \$145,000. As to the \$500 wardrobe allowance given each POW, that was provided by the Men's Fashion Association of America.

At a time when the price of gold is soaring, the value of the dollar dropping, and inflation a major national concern, it may seem frivolous to call attention to such a minor item of expense, but it merits comment on several counts. For one thing, Senators Hartke, Cranston and others expressed the hope that the splashy party for the POWs might herald better treatment for some 2.5 million veterans of Vietnam, but no such improvement has been noted. No fresh guidelines have been received by the Veterans Administration from the White House on how to speed up benefit payments, including GI bill of rights checks, in response to widespread criticism. Indeed the Office of Management and Budget is still exploring ways to cut V.A. disability payments. Education allowances still fall far short of 1973 expenditures, and so it goes.

In the meantime, the Pentagon shows no signs of cutting back on some of its favorite boondoggles. For example, on June 1, flight pay was no longer to be paid nonflying (desk) officers of the rank of full colonel and Navy captains or higher, for an estimated saving of \$14.6 million a year. Adopted by both houses, the measure has been sent to the President for signature. Meanwhile, Gen. John D. Ryan, Air Force Chief of Staff, while deciding that 285 generals were no longer entitled to draw their flight pay, decreed that he and sixty-four other generals and sixty-seven colonels would continue to receive this emolument, worth \$3,000 per officer per year. His decision was promptly denounced by Rep. Les Aspin as "a clear violation of law and utter defiance of civilian authority by the Pentagon brass . . . a new low in the whole grubby history of armchair officers and their fight

to collect flight payments they don't deserve." It remains to be seen if General Ryan will now revoke his order—that is, if the President signs the bill.

As to POWs, the Air Force is looking ahead. The Air Force Academy will build a full-scale prisoner-of-war compound, complete with steel guard towers, interrogation cells and concrete block "isolation sheds" for its cadet training program, at a cost that may be as much as \$500,000. The expenditure is justified as "resistance training" for Air Force personnel, who may expect some day to fall into enemy hands.

It is too bad that 24-year-old Sgt. Larry Kavanaugh, who spent five years in a prison camp, did not receive such training. Sergeant Heller, who like Kavanaugh was wounded when captured, says of Kavanaugh that he was "a pretty good man" who "had his own ideas" and had finally come to oppose the war. Shortly after he had been accused by Col. Theodore Guy of "aiding the enemy" while a prisoner, Sergeant Kavanaugh took his own life. His widow, who is suing the Pentagon and Colonel Guy, says that she blames them for her husband's death. Since we do not have a complete list of the POWs who attended the big bash at the White House, we have no way of knowing whether Sergeant Kavanaugh and his wife were among the President's guests.

Giant Step Backward

The country has many problems—lawlessness on the streets and at the highest levels of government, inflation, militarism, the weakness of the dollar in the international money markets, a prevalent spirit of each for himself and the devil take the hindmost, and so on.

We are not forgetting drugs and hard-core pornography, but preoccupation with these, and particularly the latter, make a useful cover-up for the inability of the electorate and the elected to deal with situations which actually threaten the stability of government. By its long-withheld 5-to-4 decision in the obscenity-pornography cases, the Supreme Court has made a disastrous contribution to the handy process of diverting the minds of citizens from the serious afflictions of our society to the relatively trivial.

Unable to define pornography in terms that make sense and tired of trying to do so, the "pragmatic" majority has decided to toss the whole complex of issues back to the states and localities, thereby engendering further confusion and even raising the possibility of a grievous cultural setback. It should not be forgotten that this is the country which four decades ago barred as obscene James Joyce's *Ulysses*, the most innovative, and perhaps the greatest, novel of the century. It is hardly likely that retrogression will go that far, or that some contemporary Anthony Comstock will haul Planned Parenthood into court, but perfectly respectable publishers have suggested that the decision will have "an inhibiting effect." How inhibiting remains to be seen. The Nixon majority on the Court are not connoisseurs of literature nor zealous defenders of artistic freedom. Their objective has been to jettison the safeguards which the Warren Court set up against encroachments on First Amendment freedoms in general, and pornography gave them the opening.

Constitutionally it is absurd to argue that the "average"

person in the local community—which the Court did not define; it could be the state, a county, a city, a town, a village or part of any of these—can decide, with only the loosest guidelines, what is allowable and what is to be banned. In the Warren Court, whose majority had more pretension to culture than the Nixon appointees can claim, the key word "utterly" offered some protection—the film, play or novel had to be *utterly* without redeeming social or artistic merit before the cops and prosecuting attorneys could lay hands on it. Now that barrier to smut-nose attack has been removed. These zealots of propriety, like those who live by political hatred, are often most vociferous, and the presence of a few on a jury may doom a genuine work of art. The indictment of *Ulysses* rested on a few pages in which Joyce insisted on having a drunken British soldier in a red-light district talk as drunken, or even sober, soldiers talk everywhere. We have become enlightened enough so that classics are safe, at least for the time being, but writers of ordinary talent have rights too, or should have.

Pornography as a form of commercial pandering is of course a matter of concern, as is any lowering of cultural standards. But it is not a matter of first importance, nor is censorship the answer. There is no need to worry about the purveyors of pornography, as if theirs were a new and dangerous attack on the purity of America. Books and magazines avowedly appealing to "prurient" interests, nude pictures, stag films, etc. flourished before Justice Burger was born. The only difference is that now anyone over 18, and to whom it is worth \$5 or more, can view such films in public. A certain amount of hypocrisy has been discarded in the process. The gap between practice and principle may be partially restored by the Supreme Court's ambiguous decision, and it may be impossible to gross nearly \$3.5 million (to date) on a film like *Deep Throat*, said to have a production cost of only \$40,000; but the pornographers will recover from the blow.

The most revealing aspect of the Supreme Court's decision is the political timing. These cases were held in abeyance by the Chief Justice until the President could get a majority—a period of about two years. By yielding to Middle America's feeling against "permissiveness" on the issue, the Court threw a bone to this contingent and simultaneously to right-wing Catholics and Southerners—all the more necessary because even this Court could not back down on separation of church and state and in its Denver decision reaffirmed the principle that black or other minority children could not be discriminated against by re-mapping school districts.

A key part of the Court's ruling gives states the right to adopt and enforce obscenity statutes which copy or are consistent with its new definition. States may in turn permit local communities to legislate. The effect, in all likelihood, will be to create a local-option mare's-nest. In practical effect what happens will largely depend on how much pressure for suppression can be brought to bear on local law-enforcement officials. Some grandstanding officials will no doubt take action on their own initiative, but most will simply respond to local pressures. In any case, it will be local jurors who will weigh the evidence—very little of that is needed under the new definition—and vote their prejudices. The two most populous states, New York and California, still retain the "utterly" standard, but at-

tempts will no doubt be made to force adoption of the Supreme Court's standard—which, of course, is a green light for suppression.

The prospect, therefore, is for great confusion, a renewed black market in pornography, endless litigation and agitation, a further polarization along cultural and political lines and, inevitably, attempts to suppress as "obscene" books, plays, magazines and films which local bigots dislike for reasons unrelated to the treatment of sexual themes. Michigan's Atty. Gen. Frank Kelley sums it up: "This really sets us back in the Dark Ages."

Contempt

When practiced by private individuals, contempt of Congress is always publicized and usually punished. But under present law, contempt of Congress by the Pentagon and the President is not a misdemeanor and can be committed without publicity or penalty.

Statistics released by Rep. Les Aspin (D., Wis.), a leading gadfly of the Pentagon, show that, in three months after the January 18th cease-fire in Vietnam, the value of defense contracts in Southeast Asia *increased* by \$3 million to a total of \$260.7 million. As of April 1, the total for Vietnam had dropped by \$3 million to \$158 million, but this was more than offset by increases for the rest of Southeast Asia. Says Aspin, a member of the House Armed Services Committee: "We're still up to our ears in this lousy war."

The largest contractor is Air America, well known to be a CIA operation. Its contracts in Thailand totaled \$41 million. In second place is Esso International, with \$36 million. Two other oil companies with substantial business are Asiatic Petroleum, a subsidiary of Royal Dutch Shell, and Caltex Asia, a component of Texaco.

The Pentagon and the President can do substantially what they please in such situations. The Anti-Deficiency Act, designed to prevent spending at a rate that will develop a deficiency in specific categories of the defense

budget, has a loophole large enough to drive a tank through. It is in the form of exemptions in the Defense Appropriations Act of certain categories of military spending, especially and conveniently those applying to operations in Southeast Asia. On November 24, 1972, Mr. Nixon invoked this provision in relation to "operation and maintenance" funds deemed "necessary in the interest of national defense," i.e., the bombing of Cambodia and North Vietnam. In such cases the law requires "immediate notification" of Congress by the Secretary of Defense. Through "administrative oversight," Congress was not notified until March 16, 1973, almost four months later.

In *The Washington Post* (June 3) Thomas W. Lippman provides further insight into the Administration's freedom to continue fighting the war in Indochina. The Pentagon has recently cut its supplies of artillery and heavy weapons ammunition to Saigon's armed forces by a third. Saigon's armies will use to the limit whatever munitions they are given. "After we cut down the ammo supply," a well-informed American officer told Lippman, "we found out that the South Vietnamese were still outshooting the enemy by 20 to 1, but the overall total was that much lower." Meanwhile, the U.S. media have been obligingly publicizing Saigon's figures on North Vietnamese and Vietcong infractions of the cease-fire, while saying nothing about Saigon's violations.

The United States has also reduced by one-fifth the amount of petroleum supplied to Saigon's armed forces, but that was an economic rather than a military measure. The fact is that military gasoline is largely sold to the public in South Vietnam, with army commanders reaping the profits. The ARVN still has plenty of gasoline for its operations (and probably a comfortable surplus still available for graft), while U.S. service stations are shutting down for lack of gasoline and a fuel oil shortage is forecast for next winter. Americans could and should reduce their consumption of petroleum; for his part, Mr. Nixon is setting them a poor example by redoubling his bombing of Cambodia.

REAL LAW & ORDER

THE CLEANUP OF NEW JERSEY

FRED J. COOK

U.S. Attorney Herbert J. Stern, a man of medium height, slight and soft-spoken, bears no relation to the hectoring prosecutor of myth; but in the last three years he has turned the state of New Jersey upside down. Gov. William T. Cahill is the latest of the prominent politicians who can attest to that feat.

Cahill, elected in 1969 by a record-breaking margin of 500,000 votes, was considered a shoo-in for a second term, until Stern began to prosecute several of the Governor's close associates for fraudulent fund raising. Though Cahill himself was not implicated, the prosecutions cast

a Watergate-like pall over his campaign for renomination. Nelson Gross, manager of Cahill's 1969 campaign, and former state Treasurer Joseph M. McCrane, the principal fund raiser, were indicted for advising fat-cat contributors to violate the law by writing off their campaign contributions as legitimate business expenses. As a result, when New Jersey voters went to the polls in the state's

Fred Cook, for many years a contributor to The Nation, is the author of The Secret Rulers, an examination of Mafia activities in New Jersey. His most recent book is The Nightmare Decade: The Life and Times of Senator Joe McCarthy (Random House).

early June primary, Cahill was repudiated by his own party; he lost to conservative Rep. Charles W. Sandman, Jr., whom he had defeated easily in 1969.

It was an outcome invested with irony. Here was Stern, an appointee of the Nixon Republican Administration, taking actions that were instrumental in bringing down a Republican Governor who had appeared invulnerable. The irony, however, lacked any great element of surprise, for in a three-year crime-busting career Stern had infuriated both political parties by striking out at major figures with an impartial hand.

At 36, Stern is an unusual and challenging figure on two counts: he operates with no political strings attached in an office in which political loyalty is usually a prime consideration; and in manner and personality he is the antithesis of the pugnacious, table-pounding prosecutor of the TV dramas.

He seems at times almost boyish, with black hair that has a tendency to curl, a long sharp nose in a narrow face and very brown, bright, alert eyes. In the courtroom he often employs a conversational tone so quiet that judges ask him to speak a little louder. He rarely moves around, and shuns histrionics that might divert the attention of the jurors from the witness. The technique has produced results never before achieved in New Jersey—nor, for that matter, according to experts, anywhere else in the nation. In the last three years, Stern's campaigns have brought the convictions of forty-five New Jersey officials; and—what is perhaps even more remarkable—many of them have been sent to prison for the kind of long terms that usually are meted out only to politically powerless defendants like bank robbers.

"I can't recall any prosecutor in the history of the nation who ever bagged so many top officials, not even Tom Dewey," says one prosecutor who has done a lot of bagging himself. This accolade places Stern at the top of a profession that includes ninety-four U.S. attorneys throughout the country, hundreds of assistant U.S. attorneys, attorneys general and their aides in every state, and thousands of district attorneys. Because of the wide discretion that is available to prosecutors—in terms of the kind of crime they focus their energies and manpower on and how aggressively or passively they use their offices and powers—their role is immensely influential in shaping the course and concerns of American justice. Perhaps the most distinguishing characteristic of Herbert J. Stern, institutionally as well as personally, is that he has chosen to exercise his discretion in a very singular way—by going after the politically powerful and officially entrenched. Federal prosecutors, like state attorneys general and district attorneys, are usually beholden to the political process and generally quite vulnerable to it. If they do not consciously shy away from investigating and prosecuting high officeholders, party leaders, and the like, their instinctive caution may incline them to let the press of ready-made business—dealing with less reputable criminals—predominate.

Yet Stern can say: "I have never been in a political clubhouse in New Jersey." And he can point to his roster of convictions as evidence of political neutrality, if not downright recklessness. His most publicized prosecutions have been against Democratic powerhouses, but with a fine

AWARD

"Getting Serious About Guns" by Franklin E. Zimring, published in *The Nation* of April 10, 1972, has received a Gavel Award Certificate of Merit, issued by the American Bar Association, "in recognition of a distinguished contribution to public understanding of the American system of law and justice."

impartiality he has also harried corrupt Republican officials throughout his jurisdiction. What's more, as an occupant of an office that is hardly immune to the dictates of political patronage, Stern points out that of his fifty-two assistants, "there is not one who has been named for political reasons. I don't know how many of them are registered or even whether they are registered. And it's going to stay that way."

Stern exudes an old-fashioned sense of morality—some would say righteousness—that has made him a Ralph Nader of sorts to the world of criminal justice. A place on his staff is vied for with some of the ardor that was once reserved for Supreme Court clerkships. Thus, Stern's own youthful raiders have been culled from the elite of the nation's best law schools. "We're getting the cream of the young bar," Stern himself happily acknowledges. "And this is because they have a chance here to get what they most want—experience in the courtroom, an opportunity to express their young idealism, the feeling that they are part of a picked band, an elite corps, who get their jobs on merit alone."

The prosecutor who ranked Stern above ex-Governor and one-time Republican Presidential nominee Thomas E. Dewey (who soared to fame as a prosecutor of New York racketeers in the 1930s) acknowledged that Stern was not without circumstantial help in his own rise to prominence. "Of course, in New Jersey, Stern fished in waters that were filled with a lot of fish," he observed. Indeed, there are those who consider New Jersey the most corrupt state in the nation. It is an invidious distinction that New Jersey residents hasten to disclaim, pointing to rivals like New York, Massachusetts and Illinois. But regardless of the pecking order, New Jersey government has long stunk of corruption.

Geography accounts for some of the seaminess. New Jersey is a jigsaw-shaped state wedged in between two mightier neighbors, New York and Pennsylvania. Benjamin Franklin compared it to a keg tapped at both ends—on the north by New York City, on the south by Philadelphia. The lure of these metropolitan centers drained off some of the state's best native brains, and the return flow brought it the worst flotsam of its corrupted neighbors. In the post-Civil War era boodlers from Wall Street often scuttled onto ferries one hop ahead of the sheriff and holed up with their moneybags in refuges across the Hudson.

The corruption that resulted from harboring such scalawags was a relative pittance compared with the payoffs involved in protecting the Mafia from the Prohibition era down to the present day. When such scandals became too ripe for even the most clogged of nostrils, a few under-

world characters sometimes went to prison, but nothing ever happened to the officials who protected them in exchange for favors.

All of this began to change in 1969 when the Nixon Administration, in one of its more universally acclaimed moves, sent a pair of determined prosecutors into the state. Frederick B. Lacey, a high-priced corporate attorney who had become convinced that corruption in government was menacing the foundations of American society, was named U.S. Attorney. Lacey instantly picked as his chief assistant—the man who would handle the burden of trial work—the young Herbert Stern. And thereby hangs a tale.

Stern comes from a family with a long background of public service. His father, Samuel, began his career in the New York City Fusion administration of Mayor Fiorello H. LaGuardia. From 1943 until he retired last year at 72, Samuel Stern was a state assistant attorney general. Brought up in this tradition, Herbert Stern cannot remember a time when he had any other ambition than to be a trial lawyer. "Oh, it's easy to make money if that's all you want," he says, "but I never had any desire to practice corporation law."

After graduating from Hobart College he was awarded a Ford Foundation National Honor scholarship and studied three years at the University of Chicago Law School. Then he joined the office of the nation's most famous district attorney, New York's Frank S. Hogan, as an assistant in the homicide bureau. "I went into Hogan's office because it was a clean operation and it gave me a chance to get trial experience," Stern says.

In the last of his four years with Hogan he developed the case against the slayers of the Black Muslim leader, Malcolm X, and made an impression on his superiors, who still recall him as "likable, resourceful, energetic and highly intelligent." These attributes won him an appointment as a trial attorney in the Organized Crime and Racketeering section of the U.S. Department of Justice—a post that was to bring him into New Jersey and propel him into head-on conflict with some of the highest paid trial lawyers in the nation, including Frederick Lacey.

The confrontation came in a case that involved Colonial Pipeline, the creation of nine major petroleum companies. Colonial had laid the final cross-Jersey link in the largest pipeline system in the nation, bringing the crude oil of Texas to a complex of storage tanks in Woodbridge Township in northern New Jersey. "The Justice Department became suspicious because we found that it was costing three times as much to lay the pipeline across New Jersey as anywhere else in the nation," Stern explains. He was sent into the state to investigate.

The result was an indictment for bribe-taking, returned in February 1967, against Woodbridge's Mayor Walter Zirpolo and township committeeman Robert E. Jacks, and an indictment for bribe-paying against Colonial and a number of its contracting companies. When the case came to trial in November 1968, Stern found himself pitted against an array of the elite of the Eastern bar: Edward Bennett Williams of Washington, Simon H. Rifkind of New York, Warren W. Wilentz, son of the prosecutor of Bruno Richard Hauptmann—and Frederick Lacey. Stern, just 32 at the time, admits now: "I was scared to death."

If so, it didn't show in the courtroom. The hallmark of a Stern case is thorough preparation based upon sifting through mountains of complicated records for damning documentary evidence. In the Colonial case, he discovered that the Bechtel Corporation of San Francisco had made out a \$20,000 check to "cash." Explain this, Stern demanded—and the explanation, like a lot of others he pressed for, led to testimony about wholesale payoffs to public officials and crooked union bosses.

A major feature of corruption that is perhaps inadequately appreciated by the public is that a payoff is not just a payoff: it often becomes a double or triple payoff. In the Colonial case Stern showed how the system works. A sensitive problem had been this: how to make a \$50,000 payoff to Woodbridge officials for their approval of the laying of the pipeline and the expansion of the tank complex? How was such a sum to be squirreled out of corporate accounts; how was it to be covered up; how were federal and other taxes to be paid on it?

From the testimony, a Marx brothers sequence emerged in which telephone calls chased one another back and forth between Colonial's head office in Atlanta and various branches of the enterprise; in which executives of the company and its contractors dashed around the countryside, huddling in motel rooms and even in men's rooms to decide how the payoff was to be engineered. In the end it was agreed that one of the subcontractors would funnel the money; but, in return for the taxes it would have to pay and the costs and risks it would run, it was to be compensated by being awarded a phony contract for \$150,000. "This is typical," Stern says. "I think I have documented in case after case that a \$1 payoff costs the taxpayers anywhere from \$2 to \$4 down the line." The Colonial case was the making of Stern. The evidence he presented was so overwhelming that bribers and bribe takers alike were convicted. And Frederick Lacey, for one, was highly impressed. "When I saw that kid in action against some of the most distinguished trial lawyers of the Eastern bar," Lacey said afterward, "I wished he were on my side." And so his first action when he became U.S. Attorney was to make certain he got Stern for his chief assistant.

The Lacey-Stern combination took out at once after "the fish." Their first target was the administration in Newark, the state's largest city, its most impoverished, its most torn by racial strife. For decades Newark had been misruled into virtual ruin by a politico-mob alliance featuring such behind-the-scenes powers as Abner (Longy) Zwillman, a major bootleg baron of Prohibition days, and the Mafia mob of Richie (The Boot) Boiardo and his son, Anthony (Tony Boy) Boiardo.

The Newark prosecution, touched off by Lacey and handled in the courtroom largely by Stern, uncovered the existence of a kickback system that charged 10 per cent across the board on every city contract. One witness from his hospital bed identified nearly \$1 million worth of checks representing bribe money that had been funneled through a dummy firm set up expressly for that purpose. Another, on the stand for days, stuck fast to his story that his firm had paid more than \$200,000 in bribe money to get city contracts.

The result: Mayor Hugh J. Addonizio, a former seven-term Congressman and two-term Mayor of Newark, and a whole raft of his principal lieutenants were convicted on conspiracy and extortion charges. This was the first stunning surprise. A second swiftly followed.

By long-established precedent, a prominent public official, even though caught with his hand in the till, is treated with consideration. A fine. A suspended sentence. At the worst a brief stretch in jail with time off for good behavior. Such has been the custom, and almost any journalist who has covered such cases can write in his sleep the standard defense plea for clemency: "Your Honor, my client has had a distinguished career. He has been a leader in his community. His family is respected. Now he has been subjected to shame and humiliation; his family has suffered from his disgrace. Your Honor, I submit to you that this defendant has already been severely punished—more severely punished than by any sentence Your Honor might impose—and, therefore, I plead with Your Honor for a suspended sentence."

Herbert Stern's brown eyes dance and his slightly pouting lips break into a good-humored smile when he is reminded of this standard apologia. He illustrates his own hard-nosed view with an anecdote. "As the story goes," he says, "there was this Brahman in India who had been convicted of some form of venality. His lawyer pleaded earnestly with the judge that his client had been punished enough by his exposure and disgrace. 'After all, Your Honor,' the lawyer pleaded, 'he is a Brahman.' The judge answered: 'Yes, I know, but because he is a Brahman, his punishment should be double.'"

This was the philosophy that prevailed when Mayor Addonizio and his convicted official cohorts were brought before Judge George Barlow for sentencing. The judge sent Addonizio to Lewisburg Penitentiary for ten years, handed out similar tough prison sentences to other members of the Newark ring, and sent shudders running down some political spines with this statement: "These were no ordinary criminal acts. . . . These crimes . . . represent a pattern of continuous, highly organized, systematic criminal extortion over a period of many years, claiming many victims and touching many more lives. . . . Their crimes, in the judgment of this court, tear at the very heart of our civilized form of government and of our society. The people will not tolerate such conduct, and those who use their public office to betray the public trust in this manner can expect from the courts only the gravest consequences."

Stern refers to the statement time and again in recommending severe sentences or arguing that they should be upheld. The young prosecutor's relish at having brought down such lofty inhabitants of officialdom apparently stems from his strong conviction that he is engaged in an almost holy crusade. In speeches and interviews he makes the point (as Lacey did before him) that this nation cannot survive if rampant corruption continues to erode the faith of the people in their government. In one interview with me, he put it this way: "There is nothing wrong with the American form of government if it conforms to its plan, its framework. It's a truly wonderful system. The only trouble is with those who twist it and pervert it—not with a jimmy in the black of night but on the highest levels of our society. If these people would

only play by the rules, there would be no need for kids to become alienated, but when the younger generation sees what is going on—when they see the very men who make the laws violate them and when, at the same time, they hear these same men telling them that they must obey and respect the laws—then they become disillusioned; they feel betrayed. And understandably."

A prosecutor this zealous is rare, if only because he makes the politicians who appoint prosecutors jittery. So just how Stern became U.S. Attorney bears some explanation. He was winning kudos in the press, but when Lacey was elevated to the federal bench in the fall of 1970, Stern was by no means an automatic choice to succeed him. To be sure, Lacey insisted on Stern as his replacement. Also championing Stern's cause was U.S. Sen. Clifford P. Case, who, as the best long-run Republican vote getter in New Jersey, exerted even more than a U.S. Senator's usual influence on appointments in his state. But other party stalwarts in New Jersey preferred Nelson Gross, a party wheel horse. Those opposing Stern made these points: he was too young; he was a New Yorker, not even a member of the Jersey bar; he might not even be a Republican—and this \$35,000-a-year plum ought to go to a party regular. These objections camouflaged a more basic concern: neither Democratic nor Republican politicians wanted a young man nobody could control.

Stern remained in limbo as "acting" U.S. Attorney for more than a year—during which time he made his appointment almost automatic by bagging the Jersey City and Hudson County gang, members of one of the strongest and most untouchable political machines in the nation.

Hudson County had been the Democratic bastion in the state ever since Frank ("I am the law") Hague rose to power in 1917. When Hague's rule ended in 1949, he retired to Florida and sat on moneybags admittedly containing some \$8 million. John V. Kenny, "the Little Man," succeeded him as the boss of city and county and king-maker in the state. It was hardly a secret that Kenny's rule was no more pure than Hague's had been, but for more than twenty years no prosecutor dared to poke his nose into Kenny's business.

Then, in mid-November 1970, a federal grand jury guided by Stern hit the Hudson machine with a blizzard of thirty-four indictments, charging a years-long, ongoing conspiracy that had extorted money from contractors on everything from stationery supplies to building bridges. It was, Hudson County wiseacres thought, just about the funniest thing that had ever happened. Charges had been flung at Hudson County for more than half a century, but nothing had ever come of them. Cynics wise in the ways of the political jungle opined: "Nothing's going to happen this time either." They reckoned without Stern.

He began, as always, with records. He subpoenaed the files from City Hall in Jersey City and from the Hudson County administration buildings. Teams of FBI and Internal Revenue agents and Stern's own aides spent weeks sifting some 1.75 million pages of documents. "We had five assistants working full time for months before we ever took the case to the grand jury," Stern says. Telltale traces of fraud were found in the records; these led to

contractors and to the study of contractors' records—and, ultimately, to the testimony, under grants of immunity, of men who had made the payoffs.

The Hudson trial revamped the imagery of corruption, replacing the historic tin box as a repository for tainted cash with an overflowing ashcan and bulging briefcases. Stern demonstrated from records and testimony that more than twenty firms had routinely kicked back 10 per cent on every contract. The kickbacks had involved millions of dollars.

Some particularly devastating testimony pointed to Mayor Thomas Whelan of Jersey City and City Council President Thomas Flaherty. They had opened a joint, secret, numbered account in a Florida bank in November 1968. Police officers bearing briefcases made periodic trips south to nourish the account. In a little more than a year and a half, records showed, it swelled to \$1,231,433.50 in securities and cash. Then, on instructions from Flaherty, a Jersey City police officer went to the bank and hauled the loot away in a huge suitcase.

Attaché cases that routinely contained \$200,000 in cash were carted to banks and go-betweens to buy stocks and make real estate investments. The ashcan that was needed to contain this river of swag made its appearance in the testimony of J. J. Kenny (no relation to Boss Kenny), who had been a ward leader, a county freeholder, and chairman of the Jersey City and Hudson County Democratic organizations. At the trial J. J. described how he kept an ashcan, a large galvanized one, in his cellar. As the bribes came in, he tossed the cash into this receptacle, the only one large enough to hold the payoffs that were being collected.

J. J. also provided more tangible evidence against the Hudson County gang. Stern's investigation had begun to get too hot for comfort. J. J. had decided he had better cooperate with the prosecution. Evidently the machine had had its suspicions, for he was paid \$50,000 to get lost. Instead, he turned the money over to Stern, who had him initial the bills in the "get-lost" fund.

J. J.'s \$50,000 and his testimony about his brimming ashcan produced fireworks in the courtroom. The defense, trying to ridicule the ashcan testimony, brought a large galvanized can into court and demanded in scornful tones whether J. J. expected the jury to believe he had needed to use such a huge receptacle to hold the loot. One just like that, J. J. said imperturbably, and the can was marked as a defense exhibit.

Subsequently, when a defense witness testified about six figures worth of cash that had been sent to him to invest in a real estate deal in which J. J. and William J. Sternkopf, another defendant and a powerful member of the Port of New York Authority, had been partners, the usually unflamboyant prosecutor grabbed the defense's own exhibit, the galvanized ashcan, held it up, shook it before the witness and the jury, and demanded: "And did he tell you the cash came from this?" The defense lawyers were on their feet roaring, but Stern continued to flourish the ashcan in their faces at every opportunity.

Another furor was touched off by Stern's dramatic handling of J. J.'s \$50,000 "get-lost" cash. Taking the

bills from a bulging briefcase, Stern had J. J. identify them one by one. Then, gathering up the huge bundles in his arms, he turned and flung the boodle on the counsel table in front of the defense attorneys, snapping: "Your witness." Defense attorneys drew back in an instinctive reaction of horror, and one actually cried out: "Take it away. Get that stuff away from here."

The result: on August 10, 1971, the jury found all the defendants guilty. Mayor Whelan, Council President Flaherty, and purchasing agent Bernard Murphy were sentenced to fifteen-year prison terms, which they are now serving. Sternkopf was sentenced to ten years, and other defendants in the ring drew stiff, but lesser terms.

Boss Kenny, suffering from a serious heart ailment, had not stood trial with the others. Subsequently, he pleaded guilty to six counts of income tax evasion and was fined \$30,000 and sentenced to up to eighteen years in prison. After being committed for ten months to the federal prison hospital in St. Louis, he was paroled by President Nixon on March 1 because, at 80, he was judged a broken man, incapacitated by heart and other ailments.

The Hudson trial, like the Newark trial before it, had its political aftermath. Reform came to Jersey City in the person of a young political unknown, Mayor Paul Jordan, 31, who has since been chosen (on Stern's recommendation) one of the ten outstanding young men in the nation by the U.S. Junior Chamber of Commerce. In Newark the disrupted Addonizio machine has been replaced by Mayor Kenneth Gibson, the city's first black Mayor. Both Gibson and Jordan are faced with virtually insurmountable urban problems, but both are considered to be men of integrity in marked contrast to predecessors who looted their cities into ruin.

Stern's anti-corruption drive continues. Given the full-fledged status as U.S. Attorney by President Nixon on December 3, 1971, he has continued to cut a swath across the state in a campaign that plays no political favorites. Secretary of State Paul Sherwin, for years the right-hand man and alter ego of Governor Cahill, bragged to newsmen on one occasion: "Herbert Stern will never get me." But Sherwin was recently convicted of extortion for accepting \$10,000 from a highway contractor in a state prosecution forced by the knowledge that Stern was ready to act.

Since the first of the year, the long-time Congressman, Cornelius E. Gallagher, has pleaded guilty to income tax evasion and D. Louis Tonti, former executive director of the New Jersey Highway Authority and one-time candidate for the Democratic nomination for governor, has pleaded guilty to an indictment charging conspiracy, bribery and extortion.

Stern's office also convicted seven officials and former officials of Atlantic City for conspiracy and extortion. The trial was filled with testimony about the same kind of 10 per cent kickback system that had been uncovered in Newark and Hudson County. Before the prosecution's case ended, three of the defendants gave up and entered pleas. They included former Mayor Richard C. Jackson, who had left municipal office to become the director of the Atlantic City Expressway Authority, a post he still held at the time of trial.

Stern refuses, understandably, to telegraph his punches, but it is known that a special federal grand jury has been empaneled for a Bergen County investigation. Bergen County is the Republican stronghold just across the George Washington Bridge from New York City, and its votes in statewide elections are invaluable to the GOP in offsetting the Democratic tide in Hudson. Investigating



Herbert Stern, emerging from the Hudson County courthouse. He is accompanied by a U.S. Marshal because he is carrying about \$800,000 in cash and negotiable bonds.

Bergen, therefore, is almost as unheard of as investigating Hudson, but indications are it may be Stern's next major target.

In any event, one thing is clear: Stern intends to remain an activist U.S. Attorney. "There are two philosophies about the way to run a U.S. Attorney's office," he says. "One is that the U.S. Attorney should be just a lawyer, handling cases brought in by investigative agencies like the FBI and IRS. The other idea is that the U.S. Attorney is the chief law-enforcement officer and that he should go out and investigate and make his own cases where he finds some evidence of wrongdoing. Here we make our own cases."

How are such cases made? How do Stern and his young assistants know where to look? "It isn't difficult if you have any sensitivity at all," Stern explains. "Newark, Hudson, Atlantic City—the stench had been there for years; it took a willingness to look. I suspect the same thing is true of many large industrialized areas of the nation; New Jersey is not unique in this regard. We do, of course, get a lot of anonymous tips. Most of them are of no value, but if someone alleges that everything in a town involves a payoff—and seems to have at least some facts to support the charge—we feel it's our duty to investigate and find out whether it's true or false. Then it's a question of subpoenaing records, finding out who is doing business with the town—then getting their records and finding out what they show. This is a very difficult, sophisticated business; the old detective with the broad-brimmed hat and the magnifying glass hasn't any place in this world."

Stern and his assistants, in fact, resemble certified public accountants more than they do Sherlock Holmes. Zealous and eager, they routinely put in a full day's overtime a week meticulously poring over ledgers and preparing and trying their cases. Stern spends several times as many hours preparing a case as he does trying it. His philosophy of prosecution was expressed in an article he wrote last year for *Student Lawyer*, the publication of the Law Student Division of the American Bar Association: "You Win It Before You Begin It or You Don't Win It At All."

One thing that has helped him win it, aside from righteous zeal and devotion to details, is an unusually large staff. Though party regulars in New Jersey fought his appointment, once Stern was named U.S. Attorney, the Justice Department gave him the resources he needed. At the start of the Newark trial Lacey and Stern had only eighteen assistants. That number has been nearly tripled. "You can handle one major trial with a small staff of eighteen," Stern says, "but it would be impossible to keep other investigations going at the same time. You just couldn't keep it up. And so I'm most grateful to the Justice Department for having given us the manpower to work with."

Others are less grateful. Stern's drive may reflect credit on the Nixon Administration, but it inspires no hat-throwing hurrahs in state Republican circles. Even before the disclosure that Stern was casting an investigative eye on Bergen County, some well-placed Republicans, asked how they felt about Stern, chorused: "He's had it."

"He's gone as far as he can go," they added. "They're going to get him before long; he'll be out of there."

The "they" who would do the "getting" or the means that might be employed were not spelled out. By mid-April, however, there had been repeated confrontations between Stern and the Republican Cahill administration.

A major conflict arose over Stern's practice of granting immunity to witnesses whose testimony enabled him to convict high political figures. In late January, state Atty. Gen. George F. Kugler, Jr., announced that he thought businessmen who had paid bribes should be barred from future bidding on public work. Stern replied that such a ruling would have a "chilling effect" on his ability to get businessmen to testify, and he pointed out that without such testimony many convictions could not have been obtained.

The effect became more "chilling" when New Jersey, which had not convicted a major Hudson County official in fifty years, became suddenly self-righteous about the role J. J. Kenny had played in Stern's Hudson probe. The state refused to honor the federal grant of immunity Stern had given J. J. and prosecuted him for extortion and misconduct. A Mercer County trial jury convicted Kenny on February 27, a decision that is now being appealed.

All of this was followed in April by a new and explosive conflict between Kugler and Stern, stemming from charges of corruption in the financing of Governor Cahill's 1969 campaign. A much decorated state police detective, James Challenger, walked into Stern's office on March 16 and charged he had been stymied in investigating a campaign fraud of more than \$100,000. Wealthy businesses, he said, had made out checks to advertising firms; the checks had been cashed at the Garden State

race track in Camden; the cash had gone into Cahill's campaign kitty; and the businesses had dodged income taxes by writing off the contributions as business expenses.

Detective Challenger had wound up being assigned to duty on the New Jersey Turnpike and had come to Stern as the prosecutor of last resort. When Stern exploded this bombshell, several things happened: Kugler denied he had been foot-dragging, insisted he had been investigating all along, charged that Stern had known all about the case before Challenger came to him, and implied Stern was a liar if he said he didn't. Stern denied he had had any prior knowledge and said acidly: "Not much seems to have happened in four years."

All of this makes many New Jerseyans, aware of past history, think that "they" will, indeed, "get" Stern if they can, and the only hope seems to be that Stern, with his record, may be a difficult man to "get."

In the midst of such a fur-flying free-for-all, logical questions arise: how does the young prosecutor himself feel about it? Will he take the route of other famous prosecutors, like Thomas Dewey, for instance, and go into politics? "Not a chance," Stern declares. "I have always steered clear of politics, and I intend to continue doing so. You don't build a political future by doing the kinds of things I have done in this office."

Where, then, is he headed? "Believe it or not, I don't know," he says. "Everyone seems to think that you have to have a plan, that you have to go down some charted course in life. My life so far has been totally unplanned. If someone had told me five years ago that I would be U. S. Attorney for New Jersey today, I would have suggested that he better see a psychiatrist. I only know that I believe that, if you do your very best day after day, the future will somehow take care of itself." □

CONGRESS vs. DEFENSE

Is This the Year of the Doves?

BRUCE M. RUSSETT

The battle of the budget, so vigorously under way before Watergate, was largely fought over whether the President may impound Congressional appropriations, and whether his veto of spending measures could be sustained by a conservative coalition of Republicans and Southern Democrats. But that is only half the real issue, since it is generally agreed at both ends of Pennsylvania Avenue that total federal spending should not continue to grow as fast as it did in the past decade. If Congress will not accept the President's plans for expenditure reductions, then it must find its own economies to bring spending and

taxes roughly into line in this inflationary period. Specifically, it must be willing to cut some federal expenditure programs. And the "obvious" candidate—because of its obvious neglect in Presidential budget-slashing—is the Defense Department. If the President will not, can Congress find the will to do what it has not done for decades—make major cuts in the military budget?

In some ways the time would seem right. The American role in the Vietnamese land war is over, and American air activity over Indochina has at least been reduced. While the "peace dividend" evaporated long ago, the opportunity to pare the country's standing armed forces nevertheless still seems real. And the country as a whole is in a cutting mood.

In the most recent Gallup poll on this topic, 42 per cent declared that we ought to be spending less for defense; only 8 per cent thought we should spend more. (The rest don't know, or are satisfied with the current level.) Considering that the immediate irritant of Viet-

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nam is gone, this compares well with the mood of 1970 and 1971, when repeated pollings turned up a steady 50 per cent of the populace saying that military spending ought to go down. Furthermore, the sentiment is strongest among the more attentive, highly educated, and business and professional portions of the population. For example, 49 per cent of business and professional people said that too much was being spent on defense, compared with 40 per cent for the rest. Thus anti-military feeling is concentrated in that part of the populace most likely to vote, to express its opinions, to make campaign contributions, and to participate in some form of organized political activity. This contrasts sharply with the earlier cold-war era, when the better-educated were the staunchest supporters of military preparedness, and when a desire to cut military expenditures was rare (almost always expressed by less than 20 per cent of the population).

Despite this new popular sentiment, procurement pressures are strong, and indeed seem to be leading to further increases in military spending. The effect of pay raises associated with the new volunteer army is enormous; personnel costs are expected to be \$10 billion higher during fiscal year 1973 than during fiscal 1968—despite a 1.2 million cut in the number of men under arms. And development and procurement for major new weapons systems will have an increasing effect over the next few years as the programs mature and construction gets under way. The Trident submarine and missile system, and the B-1 supersonic bomber, are expensive examples. Neither of these weapons systems, it should be noted, is yet needed to maintain the credibility of America's strategic nuclear deterrent. Much more plausibly, agreement to back them seems to be part of the price the Administration paid for acquiescence by key elements of the military-industrial complex to SALT I, with its limitation on ABM and total numbers of strategic delivery vehicles. Nixon's "arms controllers" give with one hand and take away with the other.

The question, then, is whether a majority in Congress will respond to strong and potentially potent popular desires for a cutback in military spending, or to the strong and still highly potent particularistic pressures for maintaining or even expanding the arms budget. The best available answer, depending on an evaluation of why Congressmen behave as they do on defense matters, is ambiguous but moderately hopeful, at least in the middle-to-long run.

First, the ability of the military-industrial complex to turn its economic power into direct political pressure is often exaggerated. Congressmen can, of course, be counted upon to support spending programs that will funnel right into their districts; the Representative or Senator who votes against an appropriation or contract destined for his constituents is a rare bird, whether the purchase be for military or for civilian goods. And surely Congressmen roll logs for one another.

But the power of such direct interests is restricted largely to particular programs. Overall, there is remarkably little relation between an individual district's economic dependence on military spending and the way its Congressman or Senator votes on defense issues. This

SUMMER SCHEDULE

During the summer, *The Nation* will not appear on the following dates: July 23, August 6, 20.

is especially true when legislation touches on broader foreign and defense policy issues, ranging beyond questions of authorization and appropriation to, for example, issues of arms control, the future of the Arms Control and Disarmament Agency, East-West trade, changes in Selective Service, or Vietnam. Several careful empirical studies have by now established beyond much serious challenge that general hawkishness or dovishness is only minimally a result of constituency dependence on defense. Congressional behavior on these issues varies hardly at all with defense *contracting* by district, and only a relatively small amount with direct Department of Defense civilian and military *employment* (largely at bases) as a fraction of a district's labor force. Specifically, only about 5 per cent of the variation in voting on defense and foreign policy issues can be attributed to district dependence on DOD largesse. While one can easily enough find examples of hawkish Congressmen whose districts are heavily in hock to the Pentagon, the pattern is far from uniform.

Much more potent as a determinant of Congressmen's defense and foreign policy attitudes, it turns out, is what can best be summarized as ideology. Legislators seem to believe in what they do! The evidence for this gets pieced together as follows: First, voting position on defense issues is closely, and increasingly, associated with voting on a broad spectrum of domestic as well as foreign policy issues, especially internal security and civil liberties matters, but also to a lesser extent housing, urban development, welfare, food stamps, education and labor. That is, on a wide variety of issues, including major domestic concerns tinged with race relations and government police powers as well as foreign policy problems, Congressmen can be ranged from Left to Right on a single liberal-conservative curve. Congress thus has become polarized not around a single issue but on a long list of important concerns. This was not the case during the first two decades of the cold war, when a pro-defense consensus meant that liberals on domestic issues were fully as hawkish on foreign policy issues as were the domestic conservatives. But by the 1970s the great majority of hawkish domestic liberals had become more dovish. This shift, coupled with the death, retirement and defeat of members of the old guard, has produced the current situation where an occasional measure critical of Administration defense policy, such as the amendment to cut off funds for bombing Cambodia, can pass the House as well as the Senate.

A second important piece of evidence concerns the personal history and associations of Congressmen and Senators. Members born before 1920 have been appreciably more pro-defense than has their average younger colleague. So too have been members first elected during the Joseph McCarthy era, 1947-53. Age and date of first arrival on Capitol Hill do shape legislators' attitudes. And associating with liberals, or drawing campaign support from



Oliphant (Denver Post)

major organizations promoting domestic liberal politics, also shows a relationship. Members of the liberal-oriented Democratic Study Group in the House are markedly more dovish than other Democratic Congressmen. More striking is the generally dovish stance of Congressmen, Republicans as well as Democrats, who were supported in their campaigns by COPE, the AFL-CIO's political arm. Despite George Meany, labor-supported candidates have been more opposed to the Indochinese war and to heavy military spending than has the average Representative. In fact, anyone wanting to predict Congressional voting on foreign policy issues would be about ten times more successful knowing a Congressman's age, first election, DSG membership and COPE support than he would by knowing the extent of Defense Department spending in his district.

Where does this leave the hopes for future legislative resistance to the eternal demands of the weapon-eers and Neanderthal anti-Communists, and what can be done to realize those hopes? Certainly some attention should go to breaking the virtual economic bondage which ties certain constituencies and their representatives to the Pentagon. While the political importance of this is often exaggerated, especially in terms of its effects on overall, generalized foreign policy behavior of Congressmen, it is nevertheless real. Especially with aerospace and naval contracts spread across the country, there are many such legislative prisoners. Furthermore, they are set up for the practitioners of logrolling: "If you don't support the B-1 bomber (for my district), I'll vote against the Trident which would benefit your constituents."

One way out of this economic bondage could be

through federal programs for the conversion of factories to civilian-oriented production, and for retraining defense workers who, in their middle years, are too often locked into a narrow set of skills. The availability of such funds could ease a great deal of the real constituent pressure on Congressmen and Senators. Even more important, in view of their apparent heavier effects on legislators' behavior, would be to provide such assistance when military or naval bases are closed. The mere threat of shutting down a major installation can keep some legislators in line; as long as it hangs over a community, it provides him with a more than normally hawkish constituency. The move to a much smaller, all-volunteer army should ultimately ease this problem substantially. Once the contraction of bases and training centers has been accomplished, fewer legislators will be in hock.

Emphasis on such "military-industrial complex" explanations, however, should not be overdone. The ideological influences really seem more powerful. Some of this too will be eased by the mere passage of time. As older legislators leave Washington and are replaced by younger men and women less deeply imprinted by the cold-war fears and crusading spirit, a major prop to recent policy will weaken. And the process can be hastened by selective application of campaign resources against hawks who are reluctant to retire or change their behavior. Furthermore, Congressmen who have to compete for their jobs have been more likely to shift from hawkish to dovish positions than have those from safe districts. In such cases political activity by peace-oriented groups may have some effect in changing minds even where it is unable to change bodies.

Overall, however, the promising route is to replace

BOOKS & THE ARTS

Jumping Off the Golden Gate Bridge

GRAVITY'S RAINBOW. By Thomas Pynchon. The Viking Press. 760 pp. \$15. Paper \$4.95.

ROBERT K. MORRIS

The decline of the West, which at first sight may appear . . . a phenomenon limited in time and space, we now perceive to be a philosophical problem that, when comprehended in all its gravity, includes within itself every great question of Being.

—Oswald Spengler

Around 1918, a German historian named Oswald Spengler brought out the first volumes of a treatise which, when completed four years later, was to make him world famous and eventually notorious. Its cheerless title was at once a solemnization of beginnings and a prophecy of ends; its thesis as sober and simple as its title: civilization in the West, we, were on our way out, and had been since some time in the 19th century. Spengler was of course not the first to announce our disintegration. Before him, Vico, Hegel, Nietzsche and our own Henry Adams, through their ideas on historical cycles, had marked us for doom. But in devising an inescapable biological analogy between individual and culture (each of these having a childhood, youth, manhood and old age), Spengler emphasized what seemed to be the inherent drive and direction of all organisms—that toward death. Should the Seventh Seal ever be opened, Spengler would deserve most of the credit for laying out the ground plan for all future architects of apocalypse.

Throughout the 1920s and 1930s, writers like Yeats, Pound, Lewis, Eliot and Lawrence built upon Spengler's necropolis their own cultural paradigms of Revelation. Freud went hammer and tongs at psyches crowded with the furniture of neuroses. Only Marxian optimism kept the wish for the Revelation surely at hand (as Yeats had put it) from becoming father to the deed.

Oddly enough, these pilgrims toward apocalypse shared in a common belief, that of order. In disparate ways each sought a controlling force in myth, art, religion, even fascism that would hold

us back from spinning away into chaos. The policy of appeasement adopted toward the Nazis and post-depression prosperity briefly halted both the quest and the hysteria; but the apocalyptic vision had its revenge in the war and Hiroshima, and its imagination was bodied forth in new slouching beasts invented by the novelists (mostly American) of the 1950s and 1960s. Now Thomas Pynchon has come along to place atop that wavering edifice, Western civilization, the spire by means of which we can home in on our destruction. With the conviction that apocalypse is as fated and necessary as Spengler's transforming cycles, *Gravity's Rainbow* sets out to scribe—like the arc of the rocket falling on 1944 London at the opening of the novel, and on us, the readers, at the end—the perfect parabola of our doom.

It is no easy job to annihilate 3,000 years of culture by means of language and technique alone. Pynchon very nearly does it; and consequently this big, and in places overblown novel operates in super-spheres of difficulty. The characters are many; the book teems with puns, acronyms (a Pynchon specialty) and paronyms. There are hundreds of literary, musical, cinematic, and comic-book allusions; scores of genealogies, scientific formulas, music-hall routines; dozens of letters, catalogues of machinery, flowers and sexual couplings. Decades of history are squeezed into a single paragraph, a jazz riff expanded to 10 pages. People like Swift, Conrad, Goethe, Rilke, Mahler, Céline, Webern, Mann, Freud, Fritz Lang, Emily Dickinson, Gilbert and Sullivan, Lewis Carroll, Shirley Temple, Mickey Rooney, John F. Kennedy, Malcolm X and Richard M. Nixon; places like Harvard, Africa, Peenemünde, the Riviera, Potsdam and the North Pole; and things like King Kong, the Munchkins, Plasticman, the Tarot, Porky Pig, fashions, Shell Oil and the Cabala are stuffed like Chinese puzzles within Chinese puzzles. Pynchon, it seems, means to inventory and then jettison all the meanings of the past before launching our civilization into the great nothingness.

Yet his formal pyrotechnics are not gratuitous. The technical perfection of *Gravity's Rainbow* in itself establishes

the novel's controlling idea, just as it allows Pynchon to break from the dominating cliché of even the best apocalyptic literature. For (Pynchon shows us), far from being able to appeal to order as a means of controlling the chaos we have loosed, we must acknowledge that the pursuit of order has brought about chaos. But every age wants new symbols of transformation; Spengler's four phases have been superseded by the five stages of the rocket's launching switch, whose terminal position is the point of no return. To Pynchon, the rocket itself is the metaphor of our age and the apocalypse: the vehicle rising "on a promise, a prophecy, of Escape," immediately betrayed to gravity, the ultimate creation of perfect order curving toward chaos.

How he goes about conveying all this amounts to a literary feat for which literary comparisons may not be at all apposite. In feeling and form, *Gravity's Rainbow* seems closer to Wagner's *Ring of the Nibelung*, that great myth of quest and metamorphosis. A Teutonic fatalism as inexorable as the Rhine flows through Pynchon's world; a crew as bizarre as Wagner's stalks within it. The Great Serpent surrounding the World Tree and gnawing its roots has become Kekulé's great snake of benzene hydrocarbons; the prized ring has become the rocket; and Wotan's Rainbow Bridge, linking the earth with Valhalla—and ultimately a symbol of *Götterdämmerung*—the pure white heat-light of the rocket's arc into space. Pynchon, however, sees beyond Wagner's twilight into the void, and beyond his myth of the death of love into the allegory of our love of death.

For it is allegorically that we must read *Gravity's Rainbow*—or rather, since it is a parable of our parabola, parabolically to the second power:

It is a curve each of them feels, unmistakably. . . . They must have guessed, once or twice—guessed and refused to believe—that everything, always, collectively, had been moving toward that purified shape latent in the sky, that shape of no surprise, no second chances, no return. Yet they do move forever under it, reserved for its own black-and-white bad news certainly as if it were the Rainbow, and they its children. . . .

One such child is Tyrone Slo-

Robert Morris has written several books of criticism on British fiction, and frequently reviews contemporary literature.

throp, an American lieutenant stationed in London during the rocket attacks of 1944-45. Slothrop, the Pynchon schlemiel at apogee, comes under the surveillance of a British intelligence organization called "The White Visitation" that has plotted on a grid of the city the places where his sexual adventures happened, and found them to coincide with the points of impact of V-2 rockets. Before Slothrop can be seized and required to explain these coincidences, the war ends. Slothrop, under alternate disguises, begins a hegira-odyssey over the European "Zone," seeking the answer himself and also trying to discover the nature of the connection between him and the inventor of a plastic, Imipolex G, vital to the manufacture of rockets. Like most of the story lines in the novel, however, Slothrop's picaresque curve picks up momentum only shortly before it gravitates to inertia, leaving him stripped of any identity whatsoever.

Through parallax—another Pynchon theme and technique—Slothrop is displaced. So, too, is "The White Visitation," whose long arm shrivels beside the megalomaniac reach of Captain Blicero, or "The White Death"—code name for a German lieutenant named Weissmann. Blicero has devoted his life to producing a rocket whose destructive capacity is limitless. Yet he, too, is but a tool: the King of Death as Slothrop is the World's Fool. For the whole pack is being shuffled by an international rocket cartel that has been doing business since the beginning of the century. In Pynchon's great chain of paranoia, "everything is connected, everything in the Creation . . . not yet blindingly One, but at least connected."

Everything is to become blindingly One. A group called the Schwarzkommandos—slaves brought back from Southwest Africa by the Germans after the Herero uprising of 1907—are putting the finishing touches on a rocket that has become their fertility totem. Elsewhere, Blicero is counting down for the blast-off of the V 0000, directed toward the North Pole, home of the Herero dead. In its nose cone, swathed in a bridal shroud of Imipolex G, he has imprisoned his current flame, a youth named Gottfried, to hurtle toward a cataclysmic love-death that will make Brünnhilde's immolation look like a botched fire drill at P.S. 10. And we, voyeurs of Pynchon's comic nightmare, sit in a movie theatre, about to sing along with the little bouncing ball the dirge for our civilization. The last words of the novel are "Now everybody. . . ."

In his final directions to *Götterdämmerung*, Wagner envisioned holocaust

and deluge: Valhalla consumed by flames and the Rhine overflowing its banks. Yet it was a catastrophe that his Bayreuth audience, separated by a sunken pit from the action, could aesthetically contemplate. After *Gravity's Rainbow* it would seem that the gulf has all but closed. We are no longer, Pynchon tells us, involved in communal isolation brought on by alienation, identity searches, personality crises, etc.; these are all old hat. We are now participants in communal annihilation. More, we live under the delusion that the last delta-t of the rocket's fall will never be reached, but that some miracle will suspend it. We are, in other words, children of the rainbow.

All this may well be so. But in the end, the art that evokes that apocalyptic vision may prove superior to any truth that emerges from it. Pynchon hypnotizes us into agreeing that all myths have failed; that love is stale, sex perverted and crude; that all we have left of our civilization is bits of flotsam and jetsam to shore up; that the Faustian quest, Christian salvation and Apollonian beauty are meaningless hence-

forth. But when the word-spell wears off we can detect more than a trace of hysteria in all such hypnotic assertions. Pynchon dreams the apocalyptic nightmare as no one before him ever imagined it could be dreamed, but withal it is very privately and artistically his—and perhaps not ours at all. He has done everything with the literature of ultimacy. Everything but answer the question of what we might do when the ultimate does not happen.

I doubt that Thomas Pynchon can ever tell us that; it is not his style or genius. But I hope someone does. Since Pynchon has given us the fullest testament to the nihilism of illusion, it is time to call for a moratorium on apocalyptic novels. It may well be time, too, to return to something Eric Auerbach once wrote—that the artist must "try to give some kind of order and design to the past, the present and the future." There are still great creative forces left in the world, all fit subjects for novels; but they will never be evoked while novelists keep one hand on the typewriter and the other on the launching switch. □

From the Good Book

EVE MERRIAM

When Big J was forced to expel Adam, Eve, Cain and Abel, they were all vocal in their lamentations.

Adam: I never had direct access to the core center. It was more a woman's thing.

Eve: Applesauce. But my husband is innocent.

Cain: Somebody is trying to make me the fall guy, but it is not going to work.

Abel: Nobody ever told me anything. I didn't even have a key to the root cellar.

None of the four had anything but the highest praise for Big J's conduct before, during and after.

A short time later, some dissension in the ranks was perceived. Eve claimed that when she was attempting to communicate with her psychiatrist, she had felt the stabbing pain of a tranquilizer injection.

My dear, responded the psychiatrist, why on earth would anyone want to silence you?

Eve Merriam is the author of The Double Bed (M. Evans) and Figleaf: The Business of Being in Fashion (Lippincott), among other books.

Eve said, on earth, maybe not. But in other places—and she rolled her eyes upward.

Meanwhile, Adam was issuing a prepared statement: "At this point in time, I am not the father of my two sons. I have not asked for, and it is with a heavy heart that I have accepted, their resignations from their previous designation. I still consider them the finest and most devoted public offspring it has been my privilege to privately parent."

Cain: I am proud to be an orphan of the firstmost father the world has ever known. And I will always be.

Abel: My father is not my father, that's what. And never has been.

Eve: We did not make one penny out of the whole allotted plot. It was a cheap subdivision.

A mystery witness, G. Garden Lilith, was called but refused comment.

Charges against the former occupants of Eden began to mount, following a leak of fermentation. It was alleged that it was not a matter of one apple that was involved in the case; but an entire truckload had been spirited away and "washed."

This was denied, redented, and then affirmed with the explanation that the washing had been a godsend to remove any poisonous sprays. But Big J had no

knowledge of the apple business or any other, witnesses all professed.

What of deliberately planting worms in out-of-Eden's apples?

—Only to keep the innocent from eating them and so becoming ill. Besides, Big J had absolutely no specific knowledge.

Why was a cover-up and red wig put on one particular apple?

—To guard it from sun spots. And let it be known that Big J had no exact knowledge, and definitely no participation in, prior or post.

Over and over, Big J and ignorance were linked.

There were calls for a personal appearance. In a wholly writ declaration, Big J stated: "I will not appear. It would be to violence, shocking violence, to the separation of heaven and hell, land and sea. Fundamentally, I was put in charge of the firmament, to reign on high.

There is a universe going on up here that I have got to watch out for, and I cannot be summoned to account every time somebody discovers a rotten apple in the barrel. Besides, there are rotten apples in every barrel. I have subjected myself to the most intensive and searching scrutiny, and I am crystal clear as a hound's tooth, I feel fine and lofty, I am staying on top, I have totally no intention of descending to humanity, now or in the future. The cowardly thing for me would be to come down to earth, but I intend to remain above it all. To the extent that I may in any way have contributed to the creation of a climate in which apple trees flourished, I did not intend to; to the extent that I failed to prune them, I should have been more prunish."

Shortly thereafter, when Big J finally was pushed or else plummeted on his own without any assistants, it was decreed a Fall with grace. □

Hot War with the 'New Left'

THE NEW LEFT AND THE ORIGINS OF THE COLD WAR. By Robert James Maddox. Princeton University Press. 169 pp. \$7.95.

RONALD RADOSH

During the past decade, the work of the cold-war revisionists has provided ample challenge to the old view of Arthur M. Schlesinger, Jr., that the cold war was the "brave and essential response of free men to Communist aggression." Now a counterattack against the revisionist position has appeared which seeks to validate the orthodox argument about the origins of the cold war. Robert James Maddox, in a small volume, argues that seven historians whom he incorrectly labels "New Left" have written books which "without exception are based upon pervasive misuses of the source materials."

These authors, he asserts, made their case only by revising "the evidence itself." His book claims to be a defense of scholarship and academic integrity against a "growing body of academic historians" whom he accuses of consistently misusing "the fundamental sources of a crucial era in American history."

Ronald Radosh teaches history at Queensborough Community College and is a member of the graduate faculty of the City University of New York. His book, *Conservative Critics of the American Empire*, will be published in 1974.

Since these historians justified their revisionist analysis by appealing to sources that were altered or misrepresented, the interpretations they advanced are open to question and, by implication, were made to fit preconceived social and political goals. Maddox is angry that traditional historians have shown "a most extraordinary reluctance to expose even the most obvious New Left fictions."

Maddox's charges are made even more serious by the endorsements given his book. George F. Kennan calls the "liberties taken with historical evidence" by the revisionists "shocking," and he claims that Maddox's examples "are fairly chosen, and he has not exaggerated in his condemnation of them." Professor Schlesinger calls the Maddox volume a "meticulous examination" which "raises the most serious questions about revisionist scholarship." And the late Herbert Feis was a major sponsor of Mr. Maddox's effort.

Ordinarily, such a crude polemic would not be worth considering. But because of its endorsements, its reputable publisher, and the attention it is beginning to get in the press, it has to be dealt with. It is undoubtedly destined to be the volume which the anti-revisionists will use to counter what they consider to be the corrosive and subversive influence of the "New Left."

Maddox aims his book at those sentimental liberals who were gullible enough to engage in discourse with the

wicked New Left distorters of history. He feels that anyone who talks to the issues raised by the cold-war revisionists has fallen into the trap. Even reviews critical of their books had the "effect of endorsing these revisionist works as responsible pieces of historical research, their disagreements with specific interpretations notwithstanding."

How does Maddox present the case that these works are not serious pieces of scholarship? First, he implies that the seven authors he criticizes—William Appleman Williams, D. F. Fleming, Gar Alperovitz, David Horowitz, Gabriel Kolko, Diane Shaver Clemens and Lloyd C. Gardner—are all somehow part of the New Left, and therefore hold the same broad political goals in common.

Secondly, he both misstates and misinterprets the revisionists' arguments—and then answers and knocks down the straw men he has carefully constructed. Thereafter, he carries out a series of scatter-gun attacks on each of the author's major works, picking out certain paragraphs, statements and arguments in the attempt to prove that the source materials cited were either tampered with or else prove the opposite of what the revisionist author claims. This approach also allows Maddox to

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avoid confronting the broad themes and analyses presented by each author.

In a short review, it is virtually impossible to give an adequate idea of how flimsy Maddox's arguments are. Some examples: First, misstatement of an author's argument. Maddox admits that Lloyd Gardner in *Architects of Illusion* does not argue that East European markets were crucial to American economic interests. He even says that Gardner almost "approximates the 'orthodox' view" on this point. But then he claims that Gardner advances the dogma that "American policymakers opposed such expansion of [Russia into Eastern Europe] almost exclusively for economic reasons."

Unless the reader has Gardner's book beside him, he cannot know that Gardner's actual thesis is that "America's direct interests in Eastern Europe were far less important than the rebuilding of an effective European and world economic system; but the only way to promote such reconstruction was for America . . . to take the lead in keeping the door open in Eastern Europe. This fact and not simple economic motives alone prompted Washington's

strong efforts to enforce equal economic opportunity there." A far cry from Maddox's inept summation.

Second, failure to understand the evidence. In his critique of William A. Williams' pioneering work, *The Tragedy of American Diplomacy*, Maddox refers to Henry A. Wallace's famous March 1946 letter to President Harry S. Truman as enshrining the most "popular" and "enduring" revisionist myth. In this letter, the Secretary of Commerce noted his desire to "discuss with the Russians in a friendly way their long-range economic problems and the future of our cooperation in matters of trade." Wallace had suggested "concrete proposals for economic collaboration" and he argued that Soviet behavior internationally was the result "of their dire economic needs and their disturbed sense of security."

In his book, Williams wrote that Henry Wallace wanted "a calm and less adamant approach to economic discussions as a means of persuading the Russians to modify 'many of their assumptions and conclusions which stand in the way of peaceful world cooperation.'" Maddox argues that Williams misunder-

stood Wallace; that the Secretary "did not criticize any particular action" of the Truman administration; and that Williams' misstatement of Wallace's letter "made it appear that Wallace was urging Truman to reverse American policy when in reality the Secretary was proposing that an effort be made to explain the policies so as to correct 'the lack of realism in many of their assumptions and conclusions.'" Maddox adds that Williams thus "created the impression that Truman's comment [in his memoirs] that he 'ignored this letter of Wallace's' applied to the latter's desire for more amicable relations with Russia."

Maddox is dead wrong. Wallace was indeed arguing for a reversal of policy toward Russia, and his letter did apply to his keen desire to move toward better relations. Maddox's argument that Truman was angry only because Wallace was meddling in affairs beyond his jurisdiction is simplistic. Maddox claims that Truman had ignored only a Wallace proposal for carrying out negotiations outside regular diplomatic channels; but he had not ignored "the Secretary's plea for better relations with Russia."

Maddox is simply incapable of making connections. Wallace's specific plan for a separate economic commission was meant to help make better relations possible at a time when he saw the two great powers as being at an impasse. But Truman did not intend to find out whether or not increased trade with Russia, and a receptive attitude toward Soviet demands for security in Eastern Europe, would lead to that goal. It is significant that Maddox does not cite Truman's own answer to Wallace of March 20, 1946. Truman wrote that he "appreciated" his Secretary's letter "in regard to the Russian situation." Truman assured Wallace that the new Ambassador, Bedell Smith, was "going to Russia with the right attitude in mind. I have great hope of his getting our relations on a better plane." Truman's disingenuous letter at least understood what Wallace was talking about. The President did not want his Secretary of Commerce to realize that he was siding with Averell Harriman and the hardliners. Having received this reply, Wallace did not know that his letter had been "ignored."

Maddox persists in taking citations out of context. A major case in point is a citation dealing with the role of the atomic bomb in American diplomacy. Maddox denies that Secretary of State Byrnes's observation to Truman that the atomic bomb "might well put us in a position to dictate our own terms at the end of the war" refers to rela-

CHRISTMAS, 1972: THE GIFT OF FIRE

*Christmas day
and the pines misted above the heavy snow*

A bird ghosts the far clearing

All of this sleeps in the President's head

*His radar whispers
and universities fall out of the sky
the rot of cities
the milk of poverty in your letters saying 'I love you'
and 'I still love you but goodbye'
fall toward their targets*

*When the black kiss explodes
and gut ribbons out in the unbelievable decompression
or the heart ruptures in those silver altitudes*

*it is not more
than the scream in the streets
when the gift of fire opens itself*

*How then shall the child be known
the carpenter bleeding into the beautiful grain of his labor
the mother her breasts blown away
How then shall the ash of the grandfathers be honored*

*As I walk the wheel-rutted snow
following my own tracks of the day before
and those of a dog and the man on bear-paws*

*I come to your name
where I knifed it into the snow
and I try to shape one word I can believe*

Robert Dana

ions with Russia. He says, "Truman's *Memoirs* permits no doubt that Byrnes's remark was made in the context of dictating terms to Japan, not to Russia."

First, a minor error. Byrnes was not Secretary of State when he made that statement. Edward Stettinius was. But what about the issue? Maddox seeks to discredit the argument first made by Alperovitz in *Atomic Diplomacy* and taken up later by Gardner. When he deals with Alperovitz's use of the statement, he makes a special point of the fact that Alperovitz quotes Byrnes as having said "the bomb might well put us in a position to dictate our own terms" Alperovitz having left off Byrnes's final words "at the end of the war." Alperovitz's omission, Maddox writes, "is misleading, to say the least. As Truman's prose makes plain, the statement he ascribed to Byrnes referred to terms with Japan 'at the end of the war,' not terms with Russia after it."

The implication is that by leaving off the three words, Alperovitz was altering Byrnes's statement to make it appear that the revisionist contention had some merit. But later on he says that Gardner is equally wrong although the latter's citation of Byrnes includes the three words. But what Maddox does not tell his readers is that the entire Byrnes statement appears two other times in Alperovitz's volume, and in each of those cases includes the words "at the end of the war." Maddox chose to discuss the one time in which Alperovitz left out the end of the sentence.

As for the substance of the Alperovitz-Gardner argument, a great deal of evidence does exist to show that Byrnes indeed saw the bomb as a means of helping American officials enforce the demands they were making in their negotiations with Russia. Thus Assistant Secretary of War John J. McCloy remembered meeting Byrnes, whom he aptly characterized as "radically opposed to any approach to Stalin whatever," and noted that en route to Potsdam Byrnes "wished to have the implied threat of the bomb in his pocket during the conference." After Hiroshima, Henry L. Stimson recalled meeting Byrnes in the White House, and noted that he had talked with him about "how to handle Russia with the big bomb. I found that Byrnes was very much against any attempt to cooperate with Russia. His mind is full of his problems with the coming meeting of foreign ministers and he looks to having the presence of the bomb in his pocket, so to speak, as a great weapon to get through the thing." And at Potsdam, former Ambassador to Russia Joseph Davies noted on July 29, 1945, that Byrnes "suggested that the New Mexico [atomic

bomb] situation had given us great power, and that in the last analysis, it would control."

Even if the original Byrnes statement was ambiguous, no doubt exists about Byrnes's views *in toto*. Moreover, the context of the conversation cited by Truman in his memoirs relates to postwar foreign relations, especially with Russia. Again, Maddox's argument rejects the obvious interpretation offered by the context.

Another example of Maddox's scholarly methodology is his taking Alperovitz and others to task for using a quotation from the notes of Charles E. Bohlen in which Truman declared, eleven days after FDR's death, that "if the Russians did not care to cooperate, 'they could go to hell.'" Maddox quotes Alperovitz as writing that Truman uttered the statement while rehearsing his views on the subject of negotiation over the reorganization of the Polish Government. Maddox then writes:

The quotation . . . is cited correctly, but applied to the wrong issues. In context Truman was referring to the possibility that the Russians might boycott the founding conference of the United Nations if they did not get their way on Poland. "He intended to go on with the plans for San Francisco," Bohlen reported him as saying, "and if the Russians did not wish to join us they could go to hell. . . ." Alperovitz's version helps establish Truman's intransigency on the Polish question, but it is incorrect.

What is most striking is Maddox's inability to appreciate the interrelationship between events. The subject of negotiations, in this case, was precisely the fight over the reorganization of the Polish Government. The Russians were considering boycotting the founding conference of the U.N. because of the dispute over the Polish situation. Maddox simply cannot see the connection between these events, even though the actors in the historical drama understood it very well.

In his continuing attempt to prove factual error, Maddox contends that both Gabriel Kolko in *The Politics of War* and Gardner were wrong in stating that when FDR "issued the 'Unconditional Surrender' statement at the Casablanca Conference, it was to Churchill's complete surprise." This, according to Maddox, was "shown to be false well over a decade ago." He argues that it was important for Kolko to advance this myth in order to prove the existence of Anglo-American friction during the war. Gardner, on his part, wanted to show that Roosevelt sought to convince Russia that the United States would fight until Germany was

crushed, and that it would not sign a separate peace.

Maddox never discusses the substance of their arguments which is different. But were Kolko and Gardner in error? No. It is most ironic that Maddox cites one of his sponsors, Herbert Feis, as proof for his point. Feis himself, on the page following the one cited by Maddox, wrote that Churchill was "surprised and upset when the President, without more ado, burst forth with the announcement at their joint press conference. Possibly this was just because no explicit understanding had been reached that this momentous step would be taken."

A final point must be offered in evidence. Throughout the book, Maddox argues that both Gardner and Kolko claim that the Allies "failed to carry out in good faith the Yalta accord on Poland's Western Boundary by refusing to recognize the Oder-Neisse line unilaterally established by Russia." He writes that both Churchill and FDR had always in fact "refused at Yalta to accept the Oder-Neisse line," and the final Yalta agreement had stated that the delimitation of Poland's western frontier would await the Peace Conference.

Another example of Maddox's appar-

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—HANS J. MORGENTHAU

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ently convincing logic. But the unwary reader will never know that neither Gardner nor Kolko nor the others who talk about Poland and Yalta ever assert anywhere that the Oder-Neisse Line was agreed upon at Yalta. In fact, only Maddox does that. What Gardner actually said was that "at Yalta it had been agreed that Poland should be compensated in the west for its forced cession of territory to Russia. Great Britain and the United States had since refused to draw a specific boundary, insisting that such things could be decided only at the final peace conference." Maddox prints that statement, and follows it with the claim that "actually, both Churchill and Roosevelt had refused at Yalta to accept the Oder-Neisse line"—to make it appear that that is what Gardner asserts.

Mr. Maddox's book has a single purpose: to end the dialogue with the revisionists about the origins of the cold war, to take us back to the days when all truth was thought to reside with the State Department, and when

only officially approved scholars like Herbert Feis could gain access to government archives for purposes of research. Maddox would have readers believe that perhaps "the New Left view of American foreign policy during and immediately after World War II can only be sustained by doing violence to the historical record." And the Establishment sponsorship of his book will lead to its acceptance as the definitive proof of how the "New Left" has falsified the past to gain acceptance of its fallacious thesis.

There is one statement made by Maddox with which I am entirely in agreement—except that it applies to Maddox himself: "The name of a reputable publisher," Maddox writes, "traditionally has served as a kind of imprimatur for scholarly treatises. It certifies neither interpretation nor approach, but serves rather to assure the reader that the material has been subjected to (and passed) rigorous critical examination. That assumption may no longer be warranted." Amen. □

further aggravated by the utter failure of all liberal governmental policies—progressive taxation, welfare and "new programs"—to modify these economic extremes. In fact, the federal income tax system which, according to Senator McGovern's modest claim, allows \$22 billion worth of tax loopholes for the wealthy, is considerably better than state and local tax systems. The cumulative effect of state and local property, sale and income taxes creates a situation in which those earning under \$2,000 a year pay an average of 25 per cent of their income in state and local taxes, while those earning above \$15,000 a year pay only 7 per cent of their earnings.

But Parker's book is not, as it claims, "really an analysis of power." How the rich use the power their economic privilege provides is a subject he barely touches. Left open also is the surprising weakness of the underpaid majority when it comes to pressing for their own interests. And despite a good explanation of the Federal Food Stamp program, Parker does not provide evidence to crack the myth that "social legislation" of the Great Society branch really helps the poor.

Perhaps this would be too much to deal with in one short book. Parker's main point—that wealth in America has been unevenly distributed from colonial times until today—is solidly established. He shows that American society has maintained the structure of inequality with remarkable steadfastness through war, depression, prosperity, liberalism and conservatism.

Parker leaves the solutions up to the reader for the most part. He argues that taxation is the only feasible tool for change, but he does not spell out any proposals, and he does not explain how less taxation imposed on the poor would

Rewarding John Wayne

MICHAEL CUNNEEN

THE MYTH OF THE MIDDLE CLASS. By Richard Parker. Liveright. 233 pp. \$7.95.

Richard Parker has written an excellent handbook on the maldistribution of American wealth. To a large extent the facts speak for themselves; the most shocking part of *The Myth of the Middle Class* is its statistical appendix. The rest of the book is largely a commentary and explanation of those facts.

Parker's analysis presents a staggering contradiction of the generally accepted myth of a broad, comfortable middle class of two-car families, color-television sets and nice suburban homes. Parker shows that comparatively few people enjoy such comforts. Only 30 per cent of U.S. families own a second car and many have none. The median value of single-family, owner-occupied homes was \$17,000 in 1970. As for new housing, the House Banking Committee estimated that 50 per cent of American households could not afford a mortgage on even a \$20,000 home, but less than a quarter of new homes sold for under \$20,000.

Tremendous gaps exist between the wealthy and the poor. The total income

of half the population is less than that of the wealthiest 10 per cent. While 70 million people live on family incomes of less than \$7,000 a year, there are 4,000 families at the top who are worth at least \$4 billion collectively in publicly known assets. The angle of the class pyramid is so steep that not only do the richest 5 per cent own 50 per cent of all wealth and 83 per cent of all corporate stock, but the richest 1 per cent own 60 per cent of that wealth and 74 per cent of those stocks.

Yet even these great inequities are

BY A CLEAR FOUNTAIN

*When it first seeped into my consciousness
it was as abstract shapes
blending into iridescent colors.*

*Later I was walking in a forest
and came upon
twin ass colts capering among
the twisted roots of a giant oak.*

*The setting seemed somewhere
in the Dordogne.*

*By a clear fountain
a tall voice spoke but I have lost
the import of its words.*

Heaven vouchsafe me such another dream.

Ramon Guthrie

Michael Cunneen works in an electronics factory in upstate New York.

leave them anything but poor. Parker claims "the situation demands a complete revolution in tax structure, not reallocations within it," but it's hard to see how the two can be separated.

Would it really be helpful to the poor if their taxes were reduced, only for them to be left in already intolerable circumstances? A reallocation of both taxation priorities and expenditures is necessary. We have had a government that has been rewarding the rich and punishing the poor by its use of tax revenues—and not only by the manner in which it collected those funds. Simply changing where that revenue comes from accomplishes little because how the government spends that money can undermine any fairness brought about by tax reform.

In recent years we have had a government that will, for example, distribute hundreds of thousands of "anti-poverty" dollars for corporate research on how to market soybean products—which encourages a new high-price industry that does not produce cheaper food for the poor but greater profits for the rich; that pays John Wayne \$800,000 a year not to grow crops; that vastly increases its purchases of California grapes for military personnel to help the fruit companies' strike-busting campaign. Progressive gains in tax reform can easily be outdone by regressive policies.

Parker is right when he says a "revolutionized understanding of America" with "a new set of social priorities" is necessary. If he has shortchanged us somewhat on how to end inequality, he has done much to illuminate its structural character. His testimony deserves serious attention. □

Book Marks

CAREY McWILLIAMS

IN THE LIFE: Versions of the Criminal Experience. By Bruce Jackson. Holt, Rinehart & Winston. 412 pp. \$8.95.

What happens on the street and in prison, told by those who turn tricks, deal dope, heist banks, peel safes, hang paper, negotiate major and minor swindles, peddle hot merchandise and cold women. Their stories, told in their words, but told with skill, insight and understanding. A new kind of book about people who go to jail not just because they are guilty of something but because "they are too dumb or broke or clumsy or unlucky to stay out." A remarkable achievement. The author is not a sociologist but a folklorist who teaches English at the State Uni-

versity of New York. One section: "Prison: The New Academy," first appeared in *The Nation*, December 8, 1971.

JUROR NUMBER FOUR: The Trial of Thirteen Black Panthers as Seen from the Jury Box. By Edwin Kennebeck. W. W. Norton & Co. 238 pp. \$6.95.

Some good studies of the jury system have appeared, but few if any have been written from the point of view of the jury box. Three circumstances add to the unique importance of this volume. First, the trial of thirteen Black Panthers in New York was inherently interesting; there was nothing dull about it. Second, it was the longest trial in New York legal experience, which gave Juror No. 4 ample time to study his fellow jurors, to analyze his own reactions, and to observe the jury system in action. And third, Juror No. 4 was an ideal observer: sensitive, shrewd, closely observing, fair-minded, and an experienced writer and editor. Fascinating reading; a section of it first appeared in *The Nation*.

BLACK STAR OVER JAPAN: Rising Forces of Militarism. By Albert Axelbank. Hill & Wang. 240 pp. \$7.95.

A timely warning, by a correspondent who knows Japan well, of the growing danger of militarism in that country. Mr. Axelbank has covered developments in Japan for *The Nation* for some years.

A MALE GUIDE TO WOMEN'S LIBERATION. By Gene Marine. Holt, Rinehart & Winston. 312 pp. \$6.95.

A good summing up of the origins and developments of women's liberation as a social movement. Discusses the issues the movement has raised and where it stands today. The author is a frequent *Nation* contributor.

THE NEW TSARS. By John Dornberg. Doubleday & Co. 470 pp. \$10.

The author served for some years as *Newsweek's* Moscow bureau chief. In this volume he sums up his impressions of "Russia Under Stalin's Heirs." Mr. Dornberg has written for *The Nation*.

HIGHWAYS TO NOWHERE: The Politics of City Transportation. By Richard Hébert. Bobbs-Merrill. 214 pp. \$7.95.

The author, who has written about mass transit and related problems for *The Nation*, examines the condition of city transportation in five American cities: Flint, Dayton, Indianapolis, Atlanta and Washington, D.C. Good reporting.

YOU CAN'T STEAL FIRST BASE. By Charles Granville Hamilton. Philosophical Library. 137 pp. \$5.95.

Sermons by a Southern minister who, for many years, has goaded *The Nation* to do more about issues of special concern to him; one of our friendliest and most helpful critics. If these sermons are representative, then it is clear that he is no easier with his congregation than he is with us. Here is a sample: "Politics is how we do together what we cannot do separately. Democracy is the faith that no one is good enough to tell others what they have to do. The only alternative to politics is dictatorship. As Chesterton insists, democracy is based on original sin: there are no 'good people,' though there are better and worse. Politicians do not bribe each other; businessmen bribe them."

WORKERS' CONTROL. Edited by Gerry Hunnius, G. David Garson and John Case. Random House. 493 pp. \$10. Paper (Vintage Books) \$2.95.

Collective research on workers' control by the Cambridge Policy Studies Institute, Cambridge, Mass., and Praxis: Research Institute for Social Change, Toronto, Ontario. Valuable contributions on an issue of increasing importance and timeliness. One section—by John Case—first appeared in *The Nation*.

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TO KILL A CHILD'S SPIRIT: The Tragedy of School Segregation in Los Angeles. By John Caughey. Foreword by Ramsey Clark. F. E. Peacock Publishers. 255 pp. Paper \$4.95.

One of California's leading historians and civil libertarians (he refused to sign the regent's oath during a memorable controversy in the late 1940s), Dr. John Caughey here tells the story of efforts to desegregate the Los Angeles schools. In his summing up, Dr. Caughey makes some points that have national relevance and should be widely pondered. Briefly, these are the points: (1) With most social problems there is a time to act, i.e., a time within which change can be effected with minimum resistance. Somehow we have always lacked an acute sense of "political time": the need, that is, to act when and while action is possible. Thus the Supreme Court made a near-fatal mistake when it used the phrase "with all deliberate speed"; it should have said, right now, immediately. The tragedy of the Los Angeles situation, as Dr. Caughey notes, is that the prospects for desegregation were excellent in Los Angeles in the early 1960s, or as he puts it, "the numbers were propitious." But the opportunity was missed, as it was in many—indeed most—other communities. (2) After the 1965 Watts riot, elements resisting change saw an opportunity to restrict it by insisting that segregation be maintained. If "they" had their black and brown schools, then the whites could manage their schools as they wished and there would be no need for change. "Anti-bussing" and "decentralization" were simply gimmicks by which this strategy could be camouflaged. In other words, procrastination gave reaction its chance and a fine opportunity was lost. No more sensible analysis of the politics of desegregation has appeared in print.

MILITARY FORCE AND AMERICAN SOCIETY. Edited by Bruce M. Russett and Alfred Stepan. Harper & Row. 371 pp. (with 161 pp. of bibliographical notes and references). \$15. Paper \$4.95.

NO CLEAR AND PRESENT DANGER: A Skeptical View of the U.S. Entry into World War II. By Bruce M. Russett. Harper Torchbooks. 111 pp. \$6. Paper \$1.95.

Both volumes underscore the increased sophistication with which the military and militarization of policy is being examined today. Douglas H. Rosenberg's contribution on "The Ideological Dimension of Military Growth," in the first volume, is an outstanding example of

how effective this new criticism can be. Mr. Russett explains, in the other volume, how he came to think that many of the arguments against other wars can also be applied, "with somewhat less force," to the war against Hitler which has remained "almost sacrosanct, nearly in the realm of theology." A preliminary essay in the author's attempt to reassess his own thinking about World War II. He is not alone in his effort: see a paper by Michael Walzer which appeared in Vol. I, No. 1, *Philosophy & Public Affairs*. "This is an exciting time to be a scholar," writes Mr. Russett and indeed it is, for the assumptions and myths of one generation are being questioned by a new generation. Mr. Russett has written for *The Nation*.

LAND REFORM AND ECONOMIC DEVELOPMENT. By Peter Dorner. Penguin Books. 167 pp. \$2.75.

A discussion of the relationship between land reform and economic development, and the diversity of existing tenure systems in different parts of the world. Worth noting is the conclusion, p. 125: "The evidence seems quite clear that small farms, either co-existing with large farms within a pre-reform dual system or operating as the end product of a distributive reform, have a better performance record of output per unit of land than do large estates." The author has contributed to *The Nation*.

THE BRACERO. By Eugene Nelson. Thorp Springs Press (Berkeley, Calif.). \$3.50.

A novel about farm labor by a former organizer who has written on farm labor for *The Nation*. Peregrine Press will shortly bring out a book-length case history of an illegal entrant from Mexico which Mr. Nelson has compiled and edited.

THE AUTOBIOGRAPHY OF DR. SAMUEL ROSEN. Alfred A. Knopf. 268 pp. \$9.95.

Dr. Samuel Rosen, whose daughter has dubbed him "The Ambassador to the Middle East," is a great American surgeon-scientist who had difficulty at first in getting his colleagues to appreciate his revolutionary approach to the problem of hardening of the bone (stapes) of the middle ear. They literally turned a "deaf ear" to his entreaties, in part, he feels, because they did not agree with his politics. He was one of the founders of the Progressive Party. In this book he tells of his life and work and of the one-man medical Odyssey which has taken him from New York to Jerusalem and

Cairo, London, Moscow, Madrid and China, winning acceptance around the world—and finally in New York—for his simplified technique for the cure of otosclerosis. His medical colleagues, however, have yet to adopt his politics.

TURN THAT DAMNED THING OFF: An Irreverent Look at TV's Impact on the American Scene. By Gene Klavan Bobbs-Merrill. 227 pp. \$6.95.

Sharp comment about TV and radio by a man who continues to have his own show despite his savage views of certain aspects of the media. He has been in the industry for twenty-five years—a relatively long tenure—yet remains, as he puts it, "unbowed and obscure." The chapter on political performers on radio and TV is alone worth the price of the book. It includes nine rules for politicians who debate their opponents or radio, including such items as: "Be impolite. Criticize your opponent's grammar. Interrupt as frequently as possible. Never answer a challenge. Make a laughingstock of your opponent. Be sarcastic. Never stick to the issues," etc., which novices would do well to master.

THE MYTH OF AMERICA'S MILITARY POWER. By John J. Chodes. Branden Press. 224 pp. \$8.95.

A useful and pertinent demonstration of how delusions of grandeur developed out of our experiences in World War II with the "war machine," and of how this overconfidence in military mechanisms helped set the stage for our involvement in Vietnam. Contains a sharp debunking of modern machine war as a kind of parody of the consumerism to which we have become addicted. An important contribution to the growing awareness of the myths on which much military thinking and decision making are based.

ANDO SANGRANDO (I Am Bleeding): A Study of Mexican American Police Conflicts. By Dr. Armando Morales. R. E. Burdick. 141 pp. \$7.95. (A soft-cover edition is available from Perspective Publications, P.O. Box 3563, La Puente, Calif. 91744.) Foreword by former Sen. Fred R. Harris.

A detailed study of Mexican-American police conflict in the Southwest, commissioned by the Congress of Mexican American Unity and the Chicano Moratorium Committee. It is illustrated with forty-six exceptionally fine photographs of police violence. Of particular interest is a chapter on the 1970-71 East Los Angeles Chicano-police riots. The book is dedicated, appropriately, to Ruben Salazar. □

ARCHITECTURE / JANE HOLTZ KAY

caled down, played up, smoothed out and prettied over, the long-due plans for the John F. Kennedy Memorial Library in Cambridge, Mass. are on the public block. After six and a half years of hassle, architect I. M. Pei has delivered the design for the \$27 million monolith with all the finality of a Pharaoh presenting a *fait accompli* to generations yet unborn. To the living goes the choice of licking their wounds or—the 1970s alternative—scrapping for the direction of their architectural fate.

With people less and less willing to take planners' manifestoes as their destiny, the activist approach may stand a chance. Even in the blue-collar, black militant, liberal academic Kennedy haven of Cambridge. The community this summer is lining up to protect a precious urban-academic corner against the glamorous triple threat of the library: the glut of tourists and tourist trappings (motels, souvenir shops, trash goods); the influx of cars (to clog already crowded streets); and a super-scale monument challenging the human pattern and more intimate if motley pedestrian architecture of Harvard Square.

Pei's plan is surely not intimate. "The last of the great 17th-century architects," as one colleague called him, Pei works on an imperial scale. He is a monument builder and the Pharaoh analogy is apt to describe this latest design for the 12.2-acre site of yet another national library.

The focus of the structure is an 85-foot-high glass pyramid—"prism" is the preferred word, with its overtones of light and elegance—encircled by a plaza and surrounded by a squared-off structure, whose windowless concrete outer walls measure 55 feet high and on two sides will run for 420 feet along narrow shop-aden streets. It is, to lessen the confusion, a kind of square doughnut, holding a glistening triangular zircon.

True, no one will miss the present raggle-taggle state of the library's chosen site: it is a vacant if valuable piece of land between the splendid Charles River, the Harvard houses and bustling Harvard Square. Infested by busses and bus sheds, weedy ailanthus trees, parking meters and the cars of Harvard Square shoppers, its grim, pitted asphalt acreage belongs to the transit people until January 1. Then, the federal General Services Administration takes over on behalf of the Kennedy

Corporation. The date for completing the library is 1976, an obviously portentous election year for the Kennedys.

On this site, the flashy glass pavilion will crest to an American flag above and descend to a sunken garden below. It will house the so-called Kennedy Museum, comprising 10,000 (10,000!) objects of memorabilia. At 50¢ a head, folks can see two hours of slides, cases of letters, films and, one presumes, the Rocker. In front of it stretches a 6-acre plaza that invites winds whipped from the Charles River. Behind the pyramid, the right-angled structure will hold the scholars and their goods: the John F. Kennedy School of Government, the Kennedy Archives and the Institute of Politics. In other words, inside the Kennedy geneflectors; outside the Kennedy reflectors—an ironically awkward mix, as Harvard seers themselves might observe if they were either wise or involved enough to comment on the duality.

Today, the Archives hold the Kennedy papers in nearby Waltham; the Institute, with 500 students, is operating out of Harvard University. Both might be welcomed in the Square. The museum is, of course, still a vision of the Kennedy family. It would not be welcome; indeed, it is a nightmare to Cambridge: to the residential university community living in the serene vintage neighborhoods a few streets away; to the merchants and small shopkeepers in the adjacent Harvard Square area; to planners concerned with quality of life and the multi-dimensional (raffish) populations; to Cambridge's low- and middle-income neighbors, who fear further development pressures on the prime real estate. To all these, dread of the museum monument is strong enough to overcome the loyalty of a traditionally Kennedy constituency.

Moreover, now, years after the Cambridge City Council proudly handed over the transit yards to the Kennedy family, this slow-to-rouse community has suddenly realized that, when this memorial to the martyred hero is opened to his admirers, it will draw on peak days an extra 5,000 to 6,000 cars into the already impassable streets. The number could be more, according to Pebble Gifford. As a member of the Harvard Square Task Force, she investigated the late President's crowd-pulling capacity both at Washington's Kennedy Center for the Performing Arts and at the Arlington gravesite (up from a million visitors before his burial to today's 5 million). The Kennedy people disagree: from the financial expedient of shrinking the monument to half its original size, they reason a

DUMB

*I was angry
and foolish
and stone gray. Dumb as pain.
The clock in the church tower
cleared its lungs
and sang out.
Outside of town I forgot
and saw a yellow deer
spring calmly
through the grass.*

Willis Barnstone

shrinkage of visitors (a planning logic known as wishful thinking). Finally, though boggy below and pitted above, the library site does now hold 300 to 400 shopper cars. Those spaces will go.

What else might go when the tourists come? Will Harvard Square change beyond recognition? Picture, said one speaker at a recent community meeting, shops selling "cast iron rockers," medallions and postcards. Imagine pitchmen instead of boutiques and coffeehouses.

That corresponds to what goes on at most of our national library and public hero parks. At the Eisenhower Library, Hyde Park and elsewhere homage to the nation's great dead is expressed in neon lights and trash architecture. The motels already have access to Cambridge. Picture, say opponents again and again, Harvard Square as hamburger heaven: McDonald's squeezing out the restaurants; fast-food franchises instead of pokey places for wine and philosophy, or bookstores and galleries; medallion key chains for handcrafted pots; embroidered Kennedy napkins on the site of *L'Express* stand, plastic motels for professors' housing—and on and on goes the litany in that mix of intellectual snob-

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Currently many of our young pampered people wish to return to the aristocratic mode, where they expect to receive favored treatment from those above, and will not have to engage in the strife and hardship of bourgeois society.

Unfortunately, there are many more applicants than places, and they are condemned to a perpetual social lottery.

After centuries of struggle out of such glamorous slavery, our young people desert their family and neighbors, in a fawning and crawling tournament contest of social climbing up the pecking order totem pole.

Those that win will never be far from a precipice.

(I expect to have three paintings on display for sale Nov. 11-30, 1973 at Oregon Society of Artists, 2185 S.W. Park Place, Portland, Ore. 97205).

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bery and barefoot tolerance that virtually defines the populace of one of America's few cities of character, of Harvard Square as a last hangout for urban humanity. "We don't want Harvard Square turning into Anyplace, U.S.A.," says City Planning consultant Ted Monacelli. "Harvard Square is a national treasure," says Ronald Fleming, director of Vision, Inc. Even those who deplore the seedy state of the architecture treasure this environment as a center of people-watching and people-promenading, twin activities that Pei's arrogant and ponderous shrine to JFK could undo.

For there is no question about Pei's—and, it seems, the Kennedys'—architectural predilections. Although some claim to admire the god-is-in-the details of Ioh Ming Pei—his elegant articulation, his sculptural polish—the architect's attitude is, on the evidence of structures so far produced, anti-environmental. It is typical of an old-style architecture that ennobles the client and ignores the public. In Boston, Pei has put two tall, made-for-motorists apartment towers lumbering over the low-lying waterfront; erected a wall-like Christian Science Church complex in the Fenway neighborhood, and plopped the new John Hancock's 60-story mirror building in historic Back Bay. Besides the damage suits still pending from the excavation for this last, its popping windows have become national news and, with their current plywood covering, are a local landmark. "I see a great deal of glass here," Bay State Gov. Frank Sargent spoofed the architect at a dinner. "There is no fear of breakage," Pei replied.

Glass intact or not, Pei's concoction for the Kennedys seems visually as well as socially and humanistically inconsistent with the other buildings in the urban-university town. An isolated tomb of glass surrounded by windowless concrete walls, it bears little kinship to the eclectic mélange of brick around the town. "We can build lightly and maintain the scale, volume and bulk of the Harvard houses," says Pei. But ease and accommodation have never been Pei precepts.

In the last few years, dialogue has become the operative word in American planning; conversation and "community advocacy" are the objectives of the hour. The architect and the Kennedy clients have not exactly encouraged that kind of dialogue; nor, to be fair, has the Cambridge community raised its voice quick-

ly or loudly enough: partly because of the aforementioned fervor for the Kennedys, partly from feelings of impotence partly because of the confusion of Cambridge government (a city manager battling a City Council is the least of its intricacies), partly because of the delay in producing a positive plan for the tota city. (In this case, though, even a prior plan would have been little help, since the land is now federal property and no subject to city zoning or planning outlines.)

In response to mounting opposition the City Council pushed forward a middle body, the Harvard Square Task Force, to bargain with the Kennedys. The Task Force put forth a Project Review body to survey the design. Both bodies are middlemen, however; interceding compromising agencies. The city manager's mandate says they must mediate and act in "good faith."

"Good faith," to the less faithful means they cannot say nay to the Kennedy Library, but must bargain. They must try to "ease the transitions," as the planners like to say, to fuse the gap between the monumental and the man-sized.

In practice this has meant (1) fighting for urbanistic uses—i.e., shops, restaurants, housing—in a so-called "related facilities" corner of the site; (2) trying to get parking spaces for some of those expected 5,000 to 6,000 cars; (3) trying to bury some 400 library-tourist parking spaces now planned to surround and isolate the library iceberg in a sea of automobiles. The Task Force reports "good meetings" with the family. As for the Project Review, Pei's politeness cannot camouflage the "fixed" nature of the architectural outline, at once regal and inviolable in his eyes.

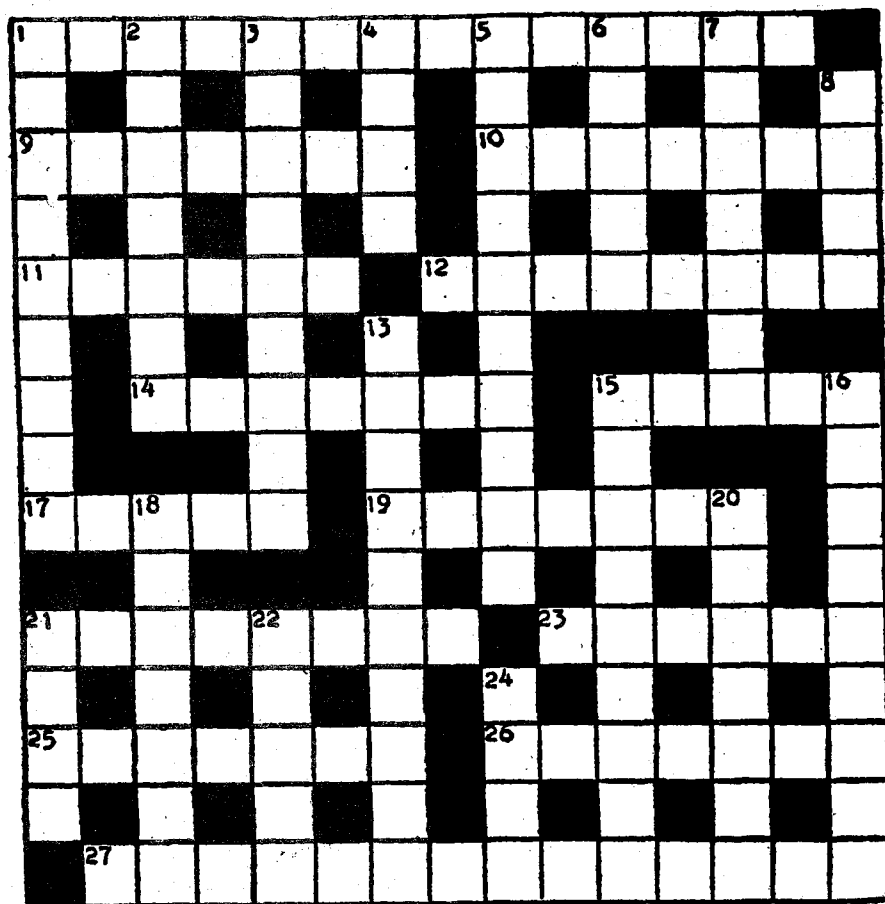
One device could intervene in this architectural divine right; that is the environmental impact statement. Library opponents argue that, if zoning and city guidelines do not apply to this federal project, then federal ones must under the fledgling Environmental Impact Act of 1969, now working its way in courts and communities across the country. Meetings are scheduled, statements will be made. The Kennedys will, or will not, respond. Either way, they are riding an odd urban-architectural merry-go-round. For, ironically, it is Senator Kennedy who has begun to lead an environmental battle against developers in the natural lands of the islands near his Cape Cod home. If he comprehends the heat of the issue there and elsewhere throughout the country, why can he not feel its warmth in Cambridge? "It's a funny thing that got into motion," says planner Monacelli, of the long move to a monument. It is nonetheless the momentum of an idea whose time has passed. □

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FRANK W. LEWIS



ACROSS

- 1 What one might do if the lock on the door is broken, or one wants to escape? (4,1,4,3,2)
- 9 In a way, Kern has a couple in the NBC, for example. (7)
- 10 A poem somehow gets around, if there's a point in it. (7)
- 11 Does it stop the horse only on order? (6)
- 12 A good blow to miss, perhaps, but you might get a lift from it. (8)
- 14 Perhaps a portrait of what the worker might be doing with the water. (7)
- 15 Evidently a number fit to stay for a while. (5)
- 17 Thus the top is made steady. (5)
- 19 Pours in where bombs sometimes end. (7)
- 21 Court order given by a groom and a musician. (8)
- 23 Half-tamed polecat to offer returns, in part. (6)
- 25 Have a yen to know about this part of the house? (7)
- 26 Game at one time needed help coming back with the knife. (7)
- 27 What the laborer does when effort is no longer mounted? (4,4,2,4)

DOWN

- 1, 21 down and 16 Evidently it takes a lot of the crew to repair the spot. (4,5,4,5,4)

- 2 and 8 down Spirits brought to a boil in back of the orchestra? (11)
- 3 Word of warning given in a previous speech? (9)
- 4 It might be OK, as a wood product. (4)
- 5 What one might be doing with the switch is certainly not encouraging. (7,3)
- 6 Had to be admitted. (5)
- 7 Say again, able to read without its head! (7)
- 8 See 2 down
- 13 It might be marked thus >. (10)
- 15 Not a proper road speed for the old villain. (9)
- 16 See 1 down
- 18 An ornament on the old out-house? (7)
- 20 Telling one to play solemnly in these Rio songs? (7)
- 21 See 1 down
- 22 A shot, however badly taken, of a literary character. (5)
- 24 A garden of England for Lancaster, according to Richard II. (4)

SOLUTION TO PUZZLE NO. 1496

ACROSS: 1 Baker's dozen; 9 and 27 Concrete examples; 10 Farrow; 11 Liberal; 12 New York; 14 Reveal; 15 Battered; 17 Playgoer; 20 Revoke; 22 Subside; 24 Stalled; 26 Recant; 28 Bear witness. DOWN: 2 Arch-enemy; 3 Eyeball; 5 Off-beat; 6 Early; 7 and 23 Police state; 8 Cowrie; 13 Abort; 16 Envelopes; 18 Louder; 19 Oldster; 20 Re-train; 21 Keeled; 25 and 4 Perished.

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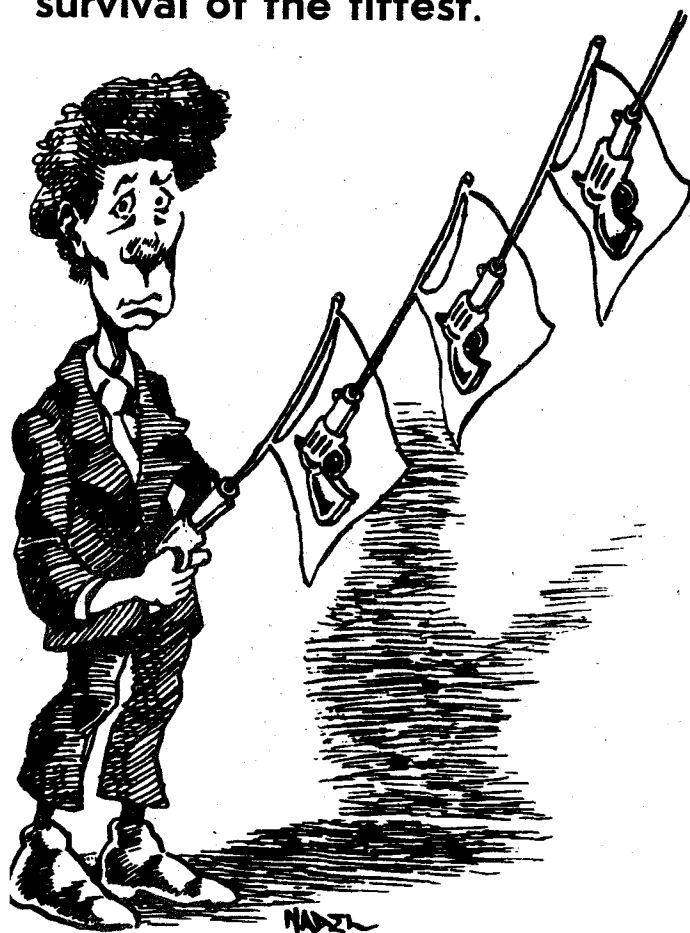
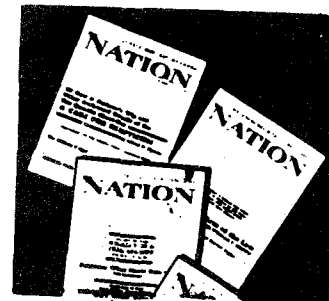
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